

## Barnes Avenue Sanitary Sewage Flow Diversion Project Environmental Assessment



New York Governor's Office of Storm Recovery  
April 29, 2015

# Barnes Avenue Sanitary Sewage Flow Diversion Environmental Assessment

April 29, 2015

**Project Name:** Barnes Avenue Sanitary Sewage Flow Diversion Project

**Project Location:** Village of Hempstead and Hamlet of East Meadow


**HTFC SHARS #:** N/A

**Federal Agency:** US Department of Housing and Urban Development  
**Responsible Entity:** New York State Homes and Community Renewal

**Responsible Agency's  
Certifying Officer:** Thomas J. King, Assistant General Counsel and Certifying Officer

**Project Sponsor:** Nassau County Department of Public Works  
**Primary Contact:** Joseph L. Davenport, P.E.  
Chief Sanitary Engineer, NCDPW  
Cedar Creek WPCP  
3340 Merrick Road  
Wantagh, NY 11793  
(516)571-7508  
jdavenport@nassaucountyny.gov

**Project NEPA Classification:** 24 CFR 58.36 (Environmental Assessment)

<b>Environmental Finding:</b>	<input checked="" type="checkbox"/> Finding of No Significant Impact - The project will not result in a significant impact on the quality of the human environment.
	<input type="checkbox"/> Finding of Significant Impact - The project may significantly affect the quality of the human environment.
<b>Certification</b>	The undersigned hereby certifies that New York State Homes and Community Renewal has conducted an environmental review of the project identified above and prepared the attached environmental review record in compliance with all applicable provisions of the National Environmental Policy Act of 1969, as amended (42 USC Sec. 4321 et seq.) and its implementing regulations at 24 CFR Part 58.
<b>Signature</b>	 Thomas J. King

**Environmental  
Assessment Prepared By:** AKRF, Inc.  
440 Park Avenue South, 7th Floor  
New York, NY 10016

## CERTIFICATION OF NEPA CLASSIFICATION

It is the finding of the New York State Housing Trust Fund Corporation that the activities proposed in its 2015 NYS CDBG-DR project, Barnes Avenue Sanitary Sewage Flow Diversion are:

Check the applicable classification.

- ☐ Exempt as defined in 24 CFR 58.34 (a).
- ☐ Categorically Excluded as defined in 24 CFR 58.35(b).
- ☐ Categorically Excluded as defined in 24 CFR 58.35(a) and no activities are affected by federal environmental statutes and executive orders [i.e., exempt under 58.34(a)(12)].
- ☐ Categorically Excluded as defined in 24 CFR 58.35(a) and some activities are affected by federal environmental statutes and executive orders.
- ☒ "Other" neither exempt (24 CFR 58.34(a)) nor categorically excluded (24 CFR 58.35).
- ☒ Part or all of the project is located in an area identified as a floodplain or wetland. For projects located in a floodplain or wetland, evidence of compliance with Executive Orders 11988 and/or 11990 is required.

For activities excluding those classified as "Other", attached is the appropriate Classification Checklist (Exhibit 2-4) that identifies each activity and the corresponding citation.



\_\_\_\_\_  
Signature of Certifying Officer

4/28/2015

\_\_\_\_\_  
Date

Thomas J. King  
Print Name

Assistant General Counsel and Certifying Officer  
Title

## CERTIFICATION OF SEQRA CLASSIFICATION

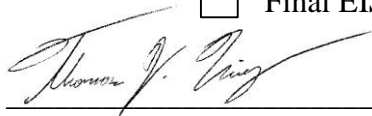
It is the finding of the New York State Housing Trust Fund Corporation that the activities proposed in its 2015 NYS CDBG-DR project, Barnes Avenue Sanitary Sewage Flow Diversion constitute a:

Check the applicable classification:

- ☒ Type I Action (6NYCRR Section 617.4)
- ☐ Type II Action (6NYCRR Section 617.5)
- ☐ Unlisted Action (not Type I or Type II Action)

Check if applicable:

- ☐ Environmental Impact Statement (EIS) Prepared
  - ☐ Draft EIS
  - ☐ Final EIS



Signature of Certifying Officer

4/28/2015

Date

Thomas J. King

Print Name

Assistant General Counsel and Certifying Officer

Title



**Description of the Proposed Project** [24 CFR 50.12 & 58.32; 40 CFR 1508.25]:

The proposed project involves construction, renovation, and other modifications to the sewer system in the Village of Hempstead necessary to improve the capacity of the wastewater collection system and eliminate sanitary sewer overflows in the Barnes Avenue area of Baldwin, located downstream. In order to improve the capacity of the system, a volume of wastewater flow must be diverted to a portion of the system with adequate capacity for conveyance and treatment.

The project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. In total, 17,890 linear feet of force main piping would be installed through a combination of open cut excavation and pipe jacking. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin to the County's Sewer Collection District No. 3 in North Merrick and ultimately treated and discharged from Cedar Creek WPCP.

**Statement of Purpose and Need for the Proposal** [40 CFR 1508.9(b)]:

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin for more than a decade. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. According to the NY Rising Community Reconstruction Plan for Baldwin and Baldwin Harbor, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system, breaching the sewer main in leading to Bay Park WPCP. Due to the severity of the resulting SSO event, a state of emergency was declared in the Barnes Avenue neighborhood.

The flow diversion project proposed herein addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment. In addition to improving the resiliency of the local sewer system, the project would improve the capacity of the sewer collection system in the Village of Hempstead to a level necessary to sustain potential future development.

**Existing Conditions and Trends** [24 CFR 58.40(a)]:

The Weekes Park and Newmans Court Pumping Stations, as well as the proposed force main routes, are located within developed areas.

The flow diversion pump station site is a mapped Park (Weekes Park) and within the Downtown Overlay District (DO-4 Downtown Edge District). The Newmans Court pump station site is zoned industrial and is not within the DO-4. However, the new force main for the Newmans Court pump station is located in the DO-4 designated area. The proposed project is located in an urban/suburban setting with residential and commercial uses. The force main will cross under the Meadowbrook Parkway adjacent to Muellner Pond. All construction proposed as part of this project would be on previously disturbed land.

The Downtown Overlay Zones and Zoning Map Amendments SEQRA Findings Statement (SEQRA Findings), dated July 2, 2012, identified the Village of Hempstead's sanitary sewage collection infrastructure as a significantly impacted by clogging, breakage, inflow, infiltration and insufficient

capacity. The SEQRA Findings go on to say that these issues constrain any opportunity for significant economic development and have the potential to negatively impact both the environment and public health.

The Village has been studying the existing sewer system through several State grants in order to determine the full extent of the sewer system deficiencies and identify opportunities for mitigation. As part of this ongoing analysis, the Village, in partnership with Renaissance Downtowns (Village-designated Master Developer), estimated the sanitary sewage flow generated by a build-out of the Downtown Overlay Zoning District to determine if the current system exhibits sufficient capacity to accommodate the planned development. It was found that the current system could not handle the estimated 1.1 million gallons per day (MGD) of additional sewage flow without significant capital improvements.

Subsequent to concluding the SEQRA process, the Village adopted the Downtown Overlay Zones and associated Zoning Map amendments that permit medium to high-density mixed-use development in downtown Hempstead subject to infrastructure thresholds and standards set forth in the SEQRA Findings. The County is working with the Village to ensure compliance with the SEQRA Findings while supporting economic development and sound land use practices in transit-served downtown Hempstead.

The attached Figure 1 provides an overall project location plan, Figure 2 provides a detailed project location plan in the vicinity of the Meadowbrook State Parkway Crossing, and Figure 3 provides a project map with the Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas.

### **Funding Information**

**Estimated Total HUD Funded Amount: \$7,020,625**

**Estimated Total Project Cost (HUD and non-HUD funds) [24 CFR 58.32(d)]: \$28,082,500**

## **Compliance with 24 CFR 58.5, and 58.6 Laws and Authorities**

Record below the compliance or conformance determinations for each statute, executive order, or regulation. Provide credible, traceable, and supportive source documentation for each authority. Where applicable, complete the necessary reviews or consultations and obtain or note applicable permits or approvals. Clearly note citations, dates/names/titles of contacts, and page references. Attach additional documentation as appropriate.

<b>Compliance Factors:</b> Statutes, Executive Orders, and Regulations listed at 24 CFR §58.5 and §58.6	<b>Are formal compliance steps or mitigation required?</b>	<b>Compliance determinations</b>
<b>STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 and 58.6</b>		
<b>Airport Hazards</b>  24 CFR Part 51 Subpart D	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. Based on guidance provided by HUD in Fact Sheet #D1, the National Plan of Integrated Airport Systems was reviewed for civilian, commercial service airports within the vicinity of the project site. No known civil airports are located within 2,500 feet and no known military airports are located within 15,000 feet of the project site. Therefore there are no anticipated adverse impacts.
<b>Coastal Barrier Resources</b>  Coastal Barrier Resources Act, as amended by the Coastal Barrier Improvement Act of 1990 [16 USC 3501]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. According to the Coastal Barrier Resource System maps, the proposed project is not located in a Coastal Barrier Resource System. Therefore, the proposed project would have no impact on any Coastal Barrier Resources.  <a href="http://www.fws.gov/cbra/Maps/index.html">http://www.fws.gov/cbra/Maps/index.html</a>
<b>Flood Insurance</b>  Flood Disaster Protection Act of 1973 and National Flood Insurance Reform Act of 1994 [42 USC 4001-4128 and 42 USC 5154a]	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. Based on review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) (Panel 0229G), the portion of the project location that passes under the Meadowbrook State Parkway is located within the 100-year flood zone (see Figure 3). However, this portion of the project contains only subsurface force main piping and is exempt from the Flood Insurance requirement.  <a href="https://msc.fema.gov/portal">https://msc.fema.gov/portal</a>

**STATUTES, EXECUTIVE ORDERS, AND REGULATIONS LISTED AT 24 CFR 50.4 & 58.5**

<b>Clean Air</b>  Clean Air Act, as amended, particularly section 176(c) & (d); 40 CFR Parts 6, 51, 93	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. The proposed project is located in a marginal non-attainment area for ozone. Construction equipment and the emergency generators to be installed at the proposed pump stations would have emissions that would be less than the threshold emissions rate and below 10 percent of the emissions inventory; and any air quality impacts during construction would be short-term and localized. No significant impacts to air quality would occur; therefore, the conformity determination requirements do not apply to the proposed project.  <a href="http://www.epa.gov/airquality/greenbook/">http://www.epa.gov/airquality/greenbook/</a> <a href="http://www.epa.gov/airquality/greenbook/adden.html">http://www.epa.gov/airquality/greenbook/adden.html</a>
<b>Coastal Zone Management</b>  Coastal Zone Management Act, sections 307(c) & (d)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. State agencies must complete a Coastal Assessment Form (CAF) as soon as the agency contemplates an action that may affect the policies for the coastal area or of an approved LWRP. The project site is not located within the boundaries of the New York State Coastal Area Boundary and is not located near a NYS-designated inland waterway.  <a href="http://www.dos.ny.gov/opd/atlas/">http://www.dos.ny.gov/opd/atlas/</a> <a href="http://appext20.dos.ny.gov/coastal_map_public/map.aspx">http://appext20.dos.ny.gov/coastal_map_public/map.aspx</a> <a href="http://www.dos.ny.gov/opd/programs/pdfs/Waterways_List_08-14.pdf">http://www.dos.ny.gov/opd/programs/pdfs/Waterways_List_08-14.pdf</a>
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Portions of the project area are located on both the NYSDEC Spills Incidents database (DEC ID no. 1401996) and the NYSDEC Environmental Site Remediation database (DEC ID no. 130184). The project site is located within 2,000 feet of several sites in the NYSDEC Environmental Site Remediation database (DEC ID nos. 130106, 130096, V00082, 130175, S130125, 130204, 130035, C130143). Current status of these identified sites are as follows:  1401996: 18 gal non-PCB oil, traffic accident (not closed)  130184: Class N, May 2012 sampling does not suggest further investigation

		<p>130096: Dry cleaner, SC 2000</p> <p>V00082: Oil in dry wells, RA 1997</p> <p>130175: Pesticides, RA 2008</p> <p>130204: Old pesticides, RI 2011, RD 2013</p> <p>130035: RI 2003</p> <p>C130143: Chromium and nickel, RA 2012</p> <p>To ensure no adverse effects to human health and the environment, the subsurface disturbance associated with the proposed project will be conducted in accordance with a site-specific Soil Mitigation Plan (SMP). The SMP would specify procedures for identifying and managing any suspected or unforeseen contaminated soil and/or underground storage tanks (including procedures for stockpiling and off-site transportation and disposal), environmental regulatory agency notification and/or reporting, and appropriate health and safety procedures, including the need for dust suppression.</p>
<p><b>Endangered Species</b></p> <p>Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>The proposed project involves the construction of 1,024 square feet of new pump station facilities and 17,890 linear feet of below-ground force main piping. All proposed project activities are located on previously disturbed sites.</p> <p>The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the proposed project on March 19, 2015 (see Appendix B) lists the following Federally-listed species as having the potential to occur within the vicinity of the portion of the project location where vegetation clearing will occur adjacent to Meadowbrook State Parkway: piping plover (<i>Charadrius melodus</i>) - threatened, roseate tern (<i>Sterna gougallii</i>) - endangered, rufa red knot (<i>Calidris canutus rufa</i>) – threatened, northern long-eared bat (<i>Myotis septentrionalis</i>) - proposed for listing, sandplain gerardia (<i>Agalinis acuta</i>) - endangered, and seabeach amaranth (<i>Amaranthus pumilus</i>) - threatened.</p> <p>No habitat for piping plover, roseate tern, rufa red knot, sandplain gerardia and seabeach amaranth is present within the portion of the proposed force main route adjacent to Meadowbrook State</p>



		<p>Parkway, or the remaining portion of the force main alignment and pump station location and these species are not expected to occur within the project site. Therefore, the proposed project has no or little potential for effect to these species or the habitats on which these species depend.</p> <p>The limited amount of tree clearing that would occur for the project would only occur during the October 1 to March 31 tree clearing window to minimize adverse effects to northern long-eared bat, would result in minimal habitat loss, and would not result in fragmentation of a contiguous woodland area. For these reasons, the proposed project may affect but is unlikely to adversely affect the northern long-eared bat or the habitat on which this species depends.</p> <p>A consultation letter was submitted to the USFWS on April 2, 2015 for concurrence. The response received from USFWS dated April 22, 2015 indicates concurrence with the determination of no effect for piping plover, roseate tern, rufa red knot, sandplain gerardia, and seabeach amaranth and the determination of not likely to adversely affect for northern long-eared bat. (See Appendix A for correspondence).</p>
<b>Explosive and Flammable Hazards</b>  24 CFR Part 51 Subpart C	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. This criterion is applicable to HUD-assisted projects that involve new residential construction, conversion of non-residential buildings to residential use, rehabilitation of residential properties that increase the number of units, or restoration of abandoned properties to habitable condition. The proposed project does not include these activities.
<b>Farmlands Protection</b>  Farmland Protection Policy Act of 1981, particularly sections 1504(b) and 1541; 7 CFR Part 658	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. The project location is not located within an Agricultural District. It would not cause disturbance to Prime, Unique, or Statewide Important Farmland and would not involve the conversion of farmland to non-agricultural use. Therefore, the proposed project would not violate the Farmland Protection Policy Act.  <a href="http://www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html">http://www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html</a>
<b>Floodplain Management</b>	Yes    No	Based on a review of the Federal Emergency Management Agency (FEMA) Flood Insurance

Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<input type="checkbox"/> <input checked="" type="checkbox"/>	Rate Map (FIRM), a portion of the project that passes under the Meadowbrook State Parkway is located within a Special Flood Hazard Area in the 100-year floodplain (see Figure 3). Only subsurface force main piping will be located within the flood zone and would not adversely affect the floodplain and no impacts on floodplain management are anticipated. A Floodplain Management Plan was developed (Appendix B). <a href="https://msc.fema.gov/portal">https://msc.fema.gov/portal</a>
<b>Historic Preservation</b>  National Historic Preservation Act of 1966, particularly sections 106 and 110; 36 CFR Part 800; Tribal notification for new ground disturbance.	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project is adjacent to St. George's Church and the Rectory of St. George's Episcopal Church, both of which are included on the National and State registries. The New York State Office of Parks, Recreation and Historic Preservation (OPRHP) was consulted. Based on the attached letter dated January 30, 2015, it has been determined that the proposed project has no potential to affect cultural resources, including resources on (or eligible for listing on) the National Register of Historic Places. In addition, after consulting the tribal directory information, it was determined that no tribes have identified an area of interest in Nassau County.  (See correspondence in Appendix A)
<b>Noise Abatement and Control</b>  Noise Control Act of 1972, as amended by the Quiet Communities Act of 1978; 24 CFR Part 51 Subpart B	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The Proposed Project is not a noise sensitive use, and furthermore, the policies of 24 CFR 51.101(a)(3) do not apply to any action or emergency assistance under disaster assistance provisions or appropriations which are provided to protect property and protect public health and safety.  The proposed project will cause temporary increases in noise levels during construction that will be mitigated by complying with local noise ordinances. Existing ambient noise levels will not be exceeded during operations. Therefore, the project would not generate any significant adverse noise impacts.
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project is located on the Nassau-Suffolk Sole Source Aquifer (SSA) system. An Initial Screen/Preliminary Review was submitted to the EPA on April 13, 2015 as per the Memorandum of Understanding (MOU) between EPA and HUD dated August 24, 1990. A response

		<p>was received from the EPA on April 17, 2015 indicating deferral to the State.</p> <p>(See correspondence in Appendix A)</p> <p>No negative impacts to the Sole Source Aquifer are anticipated. The project will have a positive impact on the Sole Source Aquifer as it will prevent the existing sewage backups that are occurring during rain events. The proposed project would prevent impacts to the SSA and other sensitive environmental features due to these sewage backups. The project must comply with all local groundwater protection and withdrawal provisions, including:</p> <ul style="list-style-type: none"> <li>-Article X of the Nassau County Public Health Ordinance (NCPHO). Note that no Special Groundwater Protection Area is mapped for the proposed project location.</li> <li>-Town of Hempstead NY Code, Chapter 70: Department of Water, Rates, and Regulations.</li> <li>-Nassau County Toxic and Hazardous Material Storage Program.</li> </ul> <p>Additionally, to minimize the potential for damage to the force main that would result in discharges to surface or groundwater, the portion of the force main installed under the stream bed will be encased in concrete.</p> <p>The proposed project would require a permit from the USACE under Section 404 of the Clean Water Act and from the NYSDEC under Article 24 of the NY Environmental Conservation Law for activities within freshwater wetlands. All permit conditions would be implemented.</p> <p><a href="http://www.epa.gov/region02/water/aquifer/">http://www.epa.gov/region02/water/aquifer/</a>  <a href="http://www.nassaucountyny.gov/3054/11581/Ground-Water-Protection">http://www.nassaucountyny.gov/3054/11581/Ground-Water-Protection</a></p>
<p><b>Wetlands Protection</b></p> <p>Executive Order 11990, particularly sections 2 and 5</p>	<p>Yes    No</p> <p><input type="checkbox"/>    <input checked="" type="checkbox"/></p>	<p>A portion of the project location is within 100 feet of a freshwater wetland as determined by the FWS Wetland Inventory map (see Appendix B). A Joint Application for Permit to permit the jacking, horizontal drilling, and force main placement for DEC wetlands and/or adjacent areas and to permit the placement of utility line under a navigable/historically-navigable waterway for USACE Section 404 and Section 10 via NWP 12 will</p>

		be submitted for the proposed project.
<b>Wild and Scenic Rivers</b>  Wild and Scenic Rivers Act of 1968, particularly section 7(b) and (c)	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	Not applicable. There are no Wild and Scenic Rivers within Nassau County, as designated by the U.S. Department of the Interior. There are no National Wild and Scenic Rivers System in Nassau County as designated by the National Wild and Scenic Rivers System. The project is not located along a Wild, Scenic and Recreational Rivers as determined by the NYSDEC. Therefore, the proposed project would not violate the Wild and Scenic Rivers Act.  <a href="http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html">http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html</a>  <a href="http://www.rivers.gov/new-york.php">http://www.rivers.gov/new-york.php</a>  <a href="http://www.dec.ny.gov/permits/32739.html">http://www.dec.ny.gov/permits/32739.html</a>
<b>ENVIRONMENTAL JUSTICE</b>		
<b>Environmental Justice</b>  Executive Order 12898	Yes    No <input type="checkbox"/> <input checked="" type="checkbox"/>	The proposed project is in a potential environmental justice area as designated by NYSDEC. Since the proposed project would not result in the potential for significant adverse impacts, there are no disproportionate adverse impacts anticipated on the surrounding community.  <a href="http://www.dec.ny.gov/docs/permits_ej_operations_pdf/nassauej.pdf">http://www.dec.ny.gov/docs/permits_ej_operations_pdf/nassauej.pdf</a>

**Environmental Assessment Factors** [24 CFR 58.40; Ref. 40 CFR 1508.8 &1508.27] Recorded below is the qualitative and quantitative significance of the effects of the proposal on the character, features and resources of the project area. Each factor has been evaluated and documented, as appropriate and in proportion to its relevance to the proposed action. Verifiable source documentation has been provided and described in support of each determination, as appropriate. Credible, traceable and supportive source documentation for each authority has been provided. Where applicable, the necessary reviews or consultations have been completed and applicable permits of approvals have been obtained or noted. Citations, dates/names/titles of contacts, and page references are clear. Additional documentation is attached, as appropriate. **All conditions, attenuation or mitigation measures have been clearly identified.**

**Impact Codes:** Use an impact code from the following list to make the determination of impact for each factor.

- (1) Minor beneficial impact
- (2) No impact anticipated
- (3) Minor Adverse Impact – May require mitigation
- (4) Significant or potentially significant impact requiring avoidance or modification which may require an Environmental Impact Statement

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>LAND DEVELOPMENT</b>		
Conformance with Plans / Compatible Land Use and Zoning / Scale and Urban Design	2	No impact anticipated. All proposed project actions are consistent with existing land use and zoning. Flow Diversion Pumping Station Site is a mapped Park (Weekes Park) and within the Downtown Overlay District (DO-4 Downtown Edge District). The Newmans Court Pumping Station site is zoned industrial and is not within the DO-4. The new force main for the Newmans Court Pumping Station is located in the DO-4 designated area.  The proposed project would not result in the creation of new jobs and/or an increase in the number of employees and would therefore not have an urbanizing effect.
Soil Suitability/ Slope/ Erosion/ Drainage/ Storm Water Runoff	2	No impact anticipated. Total area to be excavated is 4.2 acres (0.1 acres at Weekes Park PS and 17,890 lf x 10 ft wide trench for force main – 4.2 acres total). 1,700 sf of impervious surface to be added at the Weekes Park pump station. Stormwater runoff generated will be directed to the new on-site drywell in accordance with Nassau County Onsite Drainage Requirements, NYSDEC Stormwater Management Standards and the Village of Hempstead Stormwater Code.  Appropriate soil erosion and sediment control best practices will be implemented during construction activities. In particular, soil erosion and sediment control measures would be in place for any construction activities associated with the pits constructed for pipe jacking.



<p>Hazards and Nuisances including Site Safety and Noise</p>	<p>2</p>	<p>No impact anticipated. Impacts such as sidewalk closures and fugitive dust would be addressed under existing regulations governing construction activity in New York State, Nassau County, and local municipalities.</p> <p>The proposed project would only temporarily increase noise levels at nearby residences during construction and would be mitigated by implementing best management practices, including outfitting of equipment with mufflers, and compliance with local noise ordinances including time-of-day work limitations. Construction of the proposed project would not result in any significant increase in ambient noise levels.</p> <p>Existing ambient noise levels would not be exceeded during operations.</p>
<p>Energy Consumption</p>	<p>2</p>	<p>The proposed project would be adequately serviced with existing utilities, such as PSE&amp;G and National Grid. The new Weekes Park pump station will require up to 3,800 kWhr per day and the Newmans Court pump station will require up to 1,020 kWhr additional per day.</p> <p>Construction of the proposed project would consume energy, including the use of fossil fuels, for construction equipment and the shipment of materials required for construction activities. However, the proposed project would not increase long-term energy consumption.</p>

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>SOCIOECONOMIC</b>		
<p>Employment and Income Patterns</p>	<p>2</p>	<p>No impact anticipated. The proposed project would create temporary jobs during construction. However, these jobs would not significantly increase employment opportunities or impact income patterns as construction duration is expected to be 15 months. Operation of the proposed project would not result in any changes to existing employment opportunities or impact income patterns.</p>
<p>Demographic Character Changes, Displacement</p>	<p>2</p>	<p>No impact anticipated. The proposed project would not result in the creation of new jobs and therefore would not alter the demographic characteristics of the surrounding community.</p> <p>The proposed project would not directly or indirectly displace people, businesses, institutions, or community facilities. The Weekes Park pumping station will be reconstructed at its current location, which is a Village-owned parcel that will be transferred to Nassau County. The parcel is a passive park with a flagpole and a stone monument commemorating two World War II Army</p>

		generals. Due to the park's location amidst busy thoroughfares, it is not readily accessible and is therefore underutilized. The County is prepared to relocate the existing monument and flagpole to an alternate site within the Village of Hempstead. The above-ground structures of the pump station will total 1,024 square feet. Proposed building facades will conform to the design guidelines codified as part of the Village of Hempstead Downtown Overlay District. The site will be contained by a decorative perimeter fence. The proposed force main will be located entirely underground and any disruption to surrounding areas will be limited to temporary construction activities.
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Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>COMMUNITY FACILITIES AND SERVICES</b>		
Educational and Cultural Facilities	2	No impacts anticipated. The proposed project would not result in the creation of new jobs and therefore would not increase demand on educational facilities.  There are 41 facilities serving children, the elderly, or people with disabilities located within 1,500 feet of the proposed pump stations and force main route (see Appendix B). Construction or operation of the proposed project would not impact these cultural facilities, as maintenance and protection of traffic (MPT) plans will be implemented as appropriate to facilitate continued access to nearby facilities.
Commercial Facilities	2	No impacts anticipated. The proposed project would not result in the creation of new jobs and therefore would not increase demand on commercial facilities nor have any adverse effects on existing facilities.
Health Care and Social Services	2	No impacts anticipated. The proposed project would not result in the creation of new jobs and therefore would not increase demand on health care and social services nor have any adverse effects on existing facilities.
Solid Waste Disposal / Recycling	2	No impacts anticipated. Construction of the proposed pump stations and force main route would result in the generation of waste, primarily paved asphalt, soil, and packed gravel. The amount of solid waste generated from construction would not significantly increase short-term generation of municipal solid waste as the total acreage would be 4.2 acres. All waste would be hauled off-site by the selected contractor and would be handled in accordance with the State's solid and hazardous waste rules.
Waste Water / Sanitary Sewers	1	The proposed project would improve the capacity and resiliency of the wastewater collection and treatment system. Stormwater runoff from the new Weekes Park Flow Diversion Pumping Station site would be directed to a new on-site drywell

		in accordance with Nassau County Onsite Drainage Requirements, NYSDEC Stormwater Management Standards, and the Village of Hempstead Stormwater Code.
Water Supply	2	No impacts anticipated. Operation of the proposed project would not generate any additional demand for water nor have any adverse effects on existing facilities.
Public Safety - Police, Fire and Emergency Medical	2	No impacts anticipated. The proposed project would not result in the creation of new jobs and therefore would not increase demand on police protection, fire protection, or emergency medical services nor have any adverse effects on existing facilities.
Parks, Open Space and Recreation	3	The location of the proposed Weekes Park Flow Diversion Pumping Station parcel is a small park with 3 trees, a flagpole and a small monument. The existing monument and flagpole may be relocated to an alternate site within the Village of Hempstead. An easement from the NYS Office of Parks, Recreation, and Historic Preservation (OPRHP) will be required and an application for this easement is currently being prepared.
Transportation and Accessibility	2	No impacts anticipated. The proposed project would not generate any additional demand for transportation or accessibility services nor have any adverse effects on existing facilities.

Environmental Assessment Factor	Impact Code	Impact Evaluation
<b>NATURAL FEATURES</b>		
Unique Natural Features, Water Resources	2	No impacts anticipated. The project is located on the Nassau-Suffolk Sole Source Aquifer system but is not anticipated to impact the Aquifer. A portion of the project location is within 100 feet of a freshwater wetland as determined by the FWS Wetland Inventory map (see Appendix B). A Joint Application for Permit to permit the jacking, horizontal drilling, and force main placement for DEC wetlands and/or adjacent areas and to permit the placement of utility line under a navigable/historically-navigable waterway for USACE Section 404 and Section 10 via NWP 12 will be submitted.
Vegetation, Wildlife	2	No impacts anticipated. The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the proposed project location (see Appendix B) lists the following Federally-listed species as having the potential to occur within the vicinity of the portion of the project location where vegetation clearing will occur adjacent to Meadowbrook State Parkway: piping plover ( <i>Charadrius melodus</i> ) - threatened, roseate tern ( <i>Sterna gougallii</i> ) - endangered, rufa red knot ( <i>Calidris canutus rufa</i> ) – threatened, northern long-eared bat ( <i>Myotis septentrionalis</i> ) - proposed for listing, sandplain gerardia

		<p>(<i>Agalinis acuta</i>) - endangered, and seabeach amaranth (<i>Amaranthus pumilus</i>) - threatened.</p> <p>No habitat for piping plover, roseate tern, rufa red knot, sandplain gerardia and seabeach amaranth is present within the portion of the proposed force main route adjacent to Meadowbrook State Parkway, or the remaining portion of the force main alignment and pump station location and these species are not expected to occur within the project site. Therefore, the proposed project has no or little potential for effect to these species or the habitats on which these species depend.</p> <p>The limited amount of tree clearing that would occur for the project would only occur during the October 1 to March 31 tree clearing window to minimize adverse effects to northern long-eared bat, would result in minimal habitat loss, and would not result in fragmentation of a contiguous woodland area. For these reasons, the Proposed Action may affect but is unlikely to adversely affect the northern long-eared bat or the habitat on which this species depends.</p> <p>A consultation letter was submitted to the USFWS on April 2, 2015 for concurrence. The response received from USFWS dated April 22, 2015 indicates concurrence with the determination of no effect for piping plover, roseate tern, rufa red knot, sandplain gerardia, and seabeach amaranth and the determination of not likely to adversely affect for northern long-eared bat. (See Appendix A for correspondence).</p>
Other Factors	2	There are no other factors applicable to the proposed project.

**Additional Studies Performed:**

- NY Rising Community Reconstruction Plan: Baldwin. March 2014.
- SEQRA Expanded Environmental Assessment Form. October 2014.
- Technical Design Report: Flow Diversion Wastewater Pumping Station and Force Main Piping System and Newmans Court Pumping Station Improvements. Cameron Engineering & Associates, November 2014.
- Village of Hempstead Diversion Pump Station and Force Main Technical Considerations. Cameron Engineering & Associates, August 2013.
- Summary of Damages and Proposed Mitigation at the Barnes Avenue Interceptor. Hazen and Sawyer and Arcadis, January 2014.

**Field Inspection** (Date and completed by):

NA

**List of Sources, Agencies and Persons Consulted** [40 CFR 1508.9(b)]:

- Daniel Rozell, New York State Department of Environmental Conservation (NYSDEC) (January 14, 2015)
- Larry K. Moss, New York State Office of Parks, Recreation, and Historic Preservation (NYSOPRHP) (January 30, 2015)
- Patricia Cole, U.S. Fish and Wildlife Service (USFWS) New York Field Office (April 2, 2015)
- Grace Musemeci, U.S. Environmental Protection Agency (USEPA) Environmental Impacts Branch (April 13, 2015)
- New York State Environmental Facilities Corporation (NYSEFC)
- New York State Department of Transportation (NYSDOT), Region 2
- Nassau County Department of Health (NCDH)
- Village of Hempstead (VOH)
- EPA, Greenbook:  
<http://www.epa.gov/oaqps001/greenbk/index.html>
- EPA, Greenbook – Federal Register Notices:  
<http://www.epa.gov/oaqps001/greenbk/adden.html>
- EPA NEPAassist:  
<http://nepassisttool.epa.gov/nepassist/entry.aspx>
- EPA Region 2 Sole Source Aquifers:  
<http://www.epa.gov/region02/water/aquifer/>
- FEMA Coastal Barrier Resource System – New York:  
<https://www.fema.gov/national-floodinsuranceprogram/coastal-barrier-resource-system-new-york>
- FEMA Floodplain Map Service Center:  
<https://msc.fema.gov/portal>
- Military and Civilian Airports:  
[https://www.michigan.gov/documents/mshda/mshda\\_cd\\_nsp2\\_air\\_accident\\_315724\\_7.pdf](https://www.michigan.gov/documents/mshda/mshda_cd_nsp2_air_accident_315724_7.pdf)
- NYRCR –Baldwin NY Rising Community Reconstruction Plan  
[https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/baldwin\\_nyrcr\\_plan.pdf](https://stormrecovery.ny.gov/sites/default/files/crp/community/documents/baldwin_nyrcr_plan.pdf)
- National Park Service – New York Segments:  
<http://www.nps.gov/ncrc/programs/rtca/nri/states/ny.html>
- New York State Department of Agriculture and Markets:



- <http://www.agriculture.ny.gov/ap/agsservices/agricultural-districts.html>
- New York State Department of Environmental Conservation (NYSDEC), Coastal Management:  
<http://www.dec.ny.gov/lands/86541.html>
  - NYSDEC Environmental Resource Mapper:  
<http://www.dec.ny.gov/animals/38801.html>
  - NYSDEC Wild, Scenic and Recreational Rivers:  
<http://www.dec.ny.gov/permits/32739.html>
  - NYSDEC Potential Environmental Justice Areas in Nassau County:  
[http://www.dec.ny.gov/docs/permits\\_ej\\_operations\\_pdf/nassauej.pdf](http://www.dec.ny.gov/docs/permits_ej_operations_pdf/nassauej.pdf)
  - New York State Department of State (NYSDOS) – Coastal Boundary Map:  
<http://www.dos.ny.gov/opd/atlas/> and [http://appext20.dos.ny.gov/coastal\\_map\\_public/map.aspx](http://appext20.dos.ny.gov/coastal_map_public/map.aspx)
  - NYSDOS – Local Waterfront Revitalization Program – Coastal Waterbodies and Inland Waterways.  
[http://www.dos.ny.gov/opd/programs/pdfs/Waterways\\_List\\_08-14.pdf](http://www.dos.ny.gov/opd/programs/pdfs/Waterways_List_08-14.pdf)
  - State Register of Historic Places – Cultural Resources Information Systems (CRIS):  
<http://parks.ny.gov/shpo/online-tools/>
  - United States Fish and Wildlife Service (USFWS) IPaC, accessed March 19, 2015.  
<http://ecos.fws.gov/ipac/>
  - USFWS Coastal Barrier Resources Act  
<http://www.fws.gov/cbra/Maps/index.html>
  - USFWS Wetlands Online Mapper – National Wetlands Inventory Map:  
<http://www.fws.gov/wetlands/Data/Mapper.html>
  - Wild and Scenic Rivers Act – Sections 3 and 5 (16 USC 1274 and 1276):  
<http://www.rivers.gov/rivers/delaware-upper.php>  
<http://www.rivers.gov/maps/conus.php>

#### **List of Permits Obtained or Required:**

- US Army Corps of Engineers (USACE) Nationwide Permit
- NYSDEC Freshwater Wetlands Permit
- Village of Hempstead Building Permit
- NYSDEC Storm Water Pollution Prevention Plan (SWPPP)
- NYSDEC Dewatering Permit
- NCDH/VOH Water District Backflow Prevention Device
- Nassau County Fire Marshall
- NYSOPRHP Easement
- NYSDOT MPT
- NYSDEC Long Island Well Permit

#### **Public Outreach [24 CFR 50.23 & 58.43]:**

- NY Rising Community Reconstruction Program: Baldwin and Baldwin Harbor  
Public Engagement Meetings held:
  - October 22, 2013
  - November 14, 2013
  - February 27, 2014
- Type I Negative Declaration published in Environmental News Bulletin January 7, 2015  
[http://www.dec.ny.gov/enb/20150107\\_not1.html](http://www.dec.ny.gov/enb/20150107_not1.html)

- Early Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain published in Newsday – Nassau Edition March 23, 2015.
- Final Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain published in Hempstead Beacon April 17, 2015.
- Notice giving the public the opportunity to comment on the proposed project prior to submittal of the Final Application to GOSR will be published in the local newspapers and posted to the NCDPW website once Pre-Application is finalized.

#### **Cumulative Impact Analysis [24 CFR 58.32]:**

There are no other nearby projects; therefore, there would be no cumulative impacts.

#### **Alternatives [24 CFR 58.40(e); 40 CFR 1508.9]**

##### Alternative Force Main Routings

Under the proposed alternative, there is a recommended route for the force main required to convey the additional wastewater flow. The following three (3) alternative routes were considered for the force main piping from the Flow Diversion Pumping Station:

- Route 1: Force main would leave the new Flow Diversion Pumping Station onto Front Street (Route 102). Once on Front Street, it would run approximately 13,000 linear feet east to Merrick Avenue, where it would terminate at a gravity sewer interceptor that runs south with the discharge of wastewater at the Cedar Creek Sewage Treatment Plant (STP) for proper treatment. Crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe underneath the parkway.
- Route 2: Force main would leave the new Flow Diversion Pumping Station and head southwest on Peninsula Boulevard and then south onto Henry Street to Jerusalem Avenue. The force main would continue east on Jerusalem Avenue and cross under the Meadowbrook Parkway to a manhole located on the eastern side with discharge to an existing 84-inch diameter gravity sewer interceptor to convey the wastewater to the Cedar Creek STP for proper treatment. Crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe underneath the parkway.
- Route 3: In this alternative, the force main would leave the new Flow Diversion Pumping Station and head east along Front Street (Route 102) to the intersection of Ingraham Boulevard. The force main would turn south onto Ingraham Boulevard to Jerusalem Avenue and then east on Jerusalem Avenue and cross under the Meadowbrook Parkway to a manhole located on the eastern side with discharge to an existing 84-inch diameter gravity sewer interceptor to convey the wastewater to the Cedar Creek STP for proper treatment. As identified in the Route 2 alternative, crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe beneath the parkway.

Route 1 was eliminated because the interceptor located at Front Street and Merrick Avenue is a smaller diameter than the interceptor located at Jerusalem Avenue and Meadowbrook Parkway (terminus of Routes 2 and 3). As a result, Route 1 would not achieve as great a capacity improvement as the other routes. Route 2 was eliminated due to the additional impacts to traffic and utilities associated with force main installation along Henry Street as compared to Ingraham Boulevard. Route 3 was selected as the recommended route for the force main piping. All alternative routes would also require work in the floodplain.

##### Parsonage Creek Siphon

The Parsonage Creek Siphon, which conveys wastewater flow under Parsonage Creek in Baldwin, was identified as a point of capacity constriction within the local sewer collection system. The limited hydraulic performance of the siphon may be due to deposits of materials within the siphon and could potentially be improved by regular maintenance and flushing. Work is proposed under a separate project to remedy the hydraulic limitations at the Parsonage Creek Siphon. Though this will likely alleviate one point of hydraulic constriction within the sewer collection system, there are identified capacity deficiencies in the Oceanside sewer collection system, immediately downstream of the Parsonage Creek Siphon. Any increase in flow facilitated by improvements to the siphon would only accelerate surcharging in the Oceanside system, which would in turn slow flow through the siphon and subsequently result in surcharging and SSOs upstream at Barnes Avenue. This alternative would also require work within the floodplain.

#### Peak Flow Pump Station

A peak flow pump station, which would receive flow only during high flow events, was evaluated. The pump station would transfer flow from Barnes Avenue beneath Parsonage Creek to Oceanside, just downstream in the sewer system, alleviating the hydraulic constriction observed at Parsonage Creek. This alternative would not eliminate SSO events at Barnes Avenue, as the Oceanside sewer system would also be surcharged during any event in which the peak flow pump station is activated. Surcharging downstream would slow flow through the Parsonage Creek Siphon and continue to result in SSOs in the Barnes Avenue area. This alternative would also require work within the floodplain.

#### Parallel Gravity Line

In an effort to alleviate the observed capacity limitations in the Oceanside sewer system, an alternative including a parallel gravity line downstream of the Parsonage Creek Siphon was considered. The parallel line would be installed adjacent to an existing interceptor underneath Brower Avenue in Oceanside. Just as in the peak flow pump station alternative, this alternative serves to shift the location of surcharging downstream by improving capacity within a limited reach of the sewer system. Downstream surcharging would still occur and would ultimately translate to surcharging upstream as well. This alternative would not eliminate SSO events at Barnes Avenue. This alternative would also require work within the floodplain.

#### Storage

As capacity in the sewer system is limited only during peak flow events, one possible alternative is to store flow during peak events until system flow has subsided and the stored volume can be safely conveyed by the sewer system. Such an alternative would require a pumping station to transfer flow from the sewer lines into large storage tanks and chambers. A potential site was identified for location of a storage facility, but the amount of storage required for even a short period of time (one hour) is significant. Given the shallow depth to groundwater in the area and the large storage volume required, construction and operational costs were determined to be prohibitive, particularly considering the limited benefit received. This alternative would also require work within the floodplain.

#### Pump Station at Barnes Avenue

This alternative would construct a pump station in the Barnes Avenue area to connect residences to the sewer collection system, which, unlike the existing gravity connections, would prevent backflow into homes. Though residential backflow is a concern, the primary means of SSO events on Barnes Avenue is through overland flow of wastewater from external components of the sewer system, such as surcharged manholes. A review of local documentation and historical records indicates that there have been no known occurrences of backflow into residences. This alternative would not reduce the flow

within the collection system or the potential for SSOs in the Barnes Avenue area. This alternative would also require work within the floodplain.

#### Removal of Manhole at Barnes Avenue

The manhole on Barnes Avenue and Third Place has been observed to be a common point of discharge during past SSO events. Under this alternative, the manhole would be removed and replaced with a section of pipe between the existing pipe segments. Though this would potentially reduce the occurrence of SSOs at Barnes Avenue, it would not address any of the causes of SSO events and would likely shift the point of SSO occurrence to another location. This alternative would also require work within the floodplain.

#### **No Action Alternative [24 CFR 58.40(e)]:**

A No Action alternative is not proposed as it does not adequately achieve the goal of promoting a safe and healthy living environment for residents of the Barnes Avenue area. Under the No Action alternative, the identified conveyance and treatment capacity constraints within the sewer system would not be addressed. SSO events would continue to occur in the Barnes Avenue area and the sewer system would continue to be vulnerable in future storm events. The No Action alternative would result in continued negative environmental and health impacts in the area.

#### **Summary of Findings and Conclusions:**

The proposed project would involve construction of 1,024 square feet of above-ground pumping station facilities and approximately 17,890 linear feet of below-ground force main piping. All project activities would be conducted on previously disturbed areas. The project would include pipe jacking under the Meadowbrook State Parkway and construction of a 1,665 gallon underground diesel storage tank, but neither are anticipated to cause impacts to the Nassau-Suffolk Sole Source Aquifer system or to nearby wetland and floodplain areas. No adverse environmental impacts are anticipated.

### **Mitigation Measures and Conditions [40 CFR 1505.2(c)]**

Summarize below all mitigation measures adopted by the Responsible Entity to reduce, avoid, or eliminate adverse environmental impacts and to avoid non-compliance or non-conformance with the above-listed authorities and factors. These measures/conditions must be incorporated into project contracts, development agreements, and other relevant documents. The staff responsible for implementing and monitoring mitigation measures should be clearly identified in the mitigation plan.

Law, Authority, or Factor	Mitigation Measure
<b>Endangered Species</b>  Endangered Species Act of 1973, particularly section 7; 50 CFR Part 402	<p>The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the proposed project includes the northern long-eared bat (<i>Myotis septentrionalis</i>) as a threatened species within an area adjacent to the project which may require clearing of vegetation.</p> <p>The limited amount of tree clearing that would occur for the proposed project would only occur during the October 1 to March 31 tree clearing window to minimize adverse effects to northern long-eared bat in order to minimize habitat loss. A consultation letter was sent to USFWS on April 2, 2015 for concurrence (see correspondence in Appendix A).</p>
<b>Floodplain Management</b>  Executive Order 11988, particularly section 2(a); 24 CFR Part 55	<p>Based on a review of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM), a portion of the project that passes under the Meadowbrook State Parkway is located within a Special Flood Hazard Area in the 100-year floodplain. Only subsurface force main piping will be located within the flood zone and would not adversely affect the floodplain. A Floodplain Management Plan was developed (see Appendix B).</p>
<b>Sole Source Aquifers</b>  Safe Drinking Water Act of 1974, as amended, particularly section 1424(e); 40 CFR Part 149	<p>The proposed project is located on the Nassau-Suffolk Sole Source Aquifer system. An Initial Screen/Preliminary Review was submitted to EPA on April 13, 2015 as per the Memorandum of Understanding between EPA and HUD dated August 24, 1990 (see correspondence in Appendix A). No impacts to the Sole Source Aquifer are anticipated.</p>
<b>Contamination and Toxic Substances</b>  24 CFR Part 50.3(i) & 58.5(i)(2)	<p>To ensure no adverse effects to human health and the environment, the subsurface disturbance associated with the proposed project will be conducted in accordance with a site-specific Soil Mitigation Plan (SMP). The SMP would specify procedures for identifying and managing any suspected or unforeseen contaminated soil and/or underground storage tanks (including procedures for stockpiling and off-site transportation and disposal), environmental regulatory agency notification and/or reporting, and appropriate health and safety procedures, including the need for dust suppression.</p>
<b>Permit Requirements</b>	<p>All permit conditions listed above or otherwise required for activities under the proposed project must be adhered to.</p>

**Determination:**

☒ **Finding of No Significant Impact** [24 CFR 58.40(g)(1); 40 CFR 1508.27]

The project will not result in a significant impact on the quality of the human environment.

☐ **Finding of Significant Impact** [24 CFR 58.40(g)(2); 40 CFR 1508.27]

The project may significantly affect the quality of the human environment.

Preparer Signature: Jennifer M. Franco Date: 4/28/15

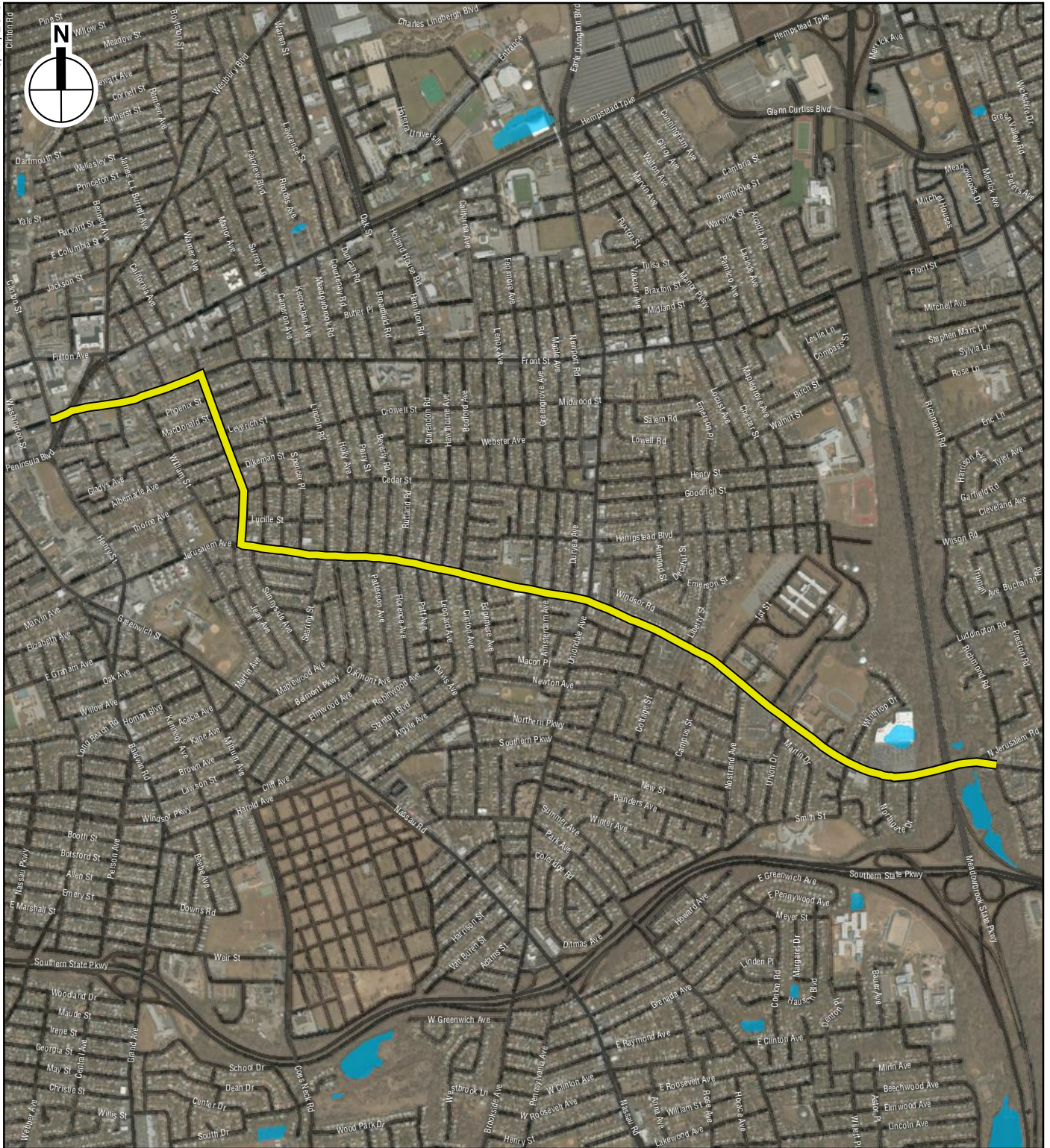
Name/Title/Organization: Jennifer M. Franco, PE, Senior Technical Director, AKRF, Inc.

Certifying Officer Signature: Thomas J. King Date: 4/28/15

Name/Title: Thomas J. King, Assistant General Counsel and Certifying Officer

This original, signed document and related supporting material must be retained on file by the Responsible Entity in an Environmental Review Record (ERR) for the activity/project (ref: 24 CFR Part 58.38) and in accordance with recordkeeping requirements for the HUD program(s).



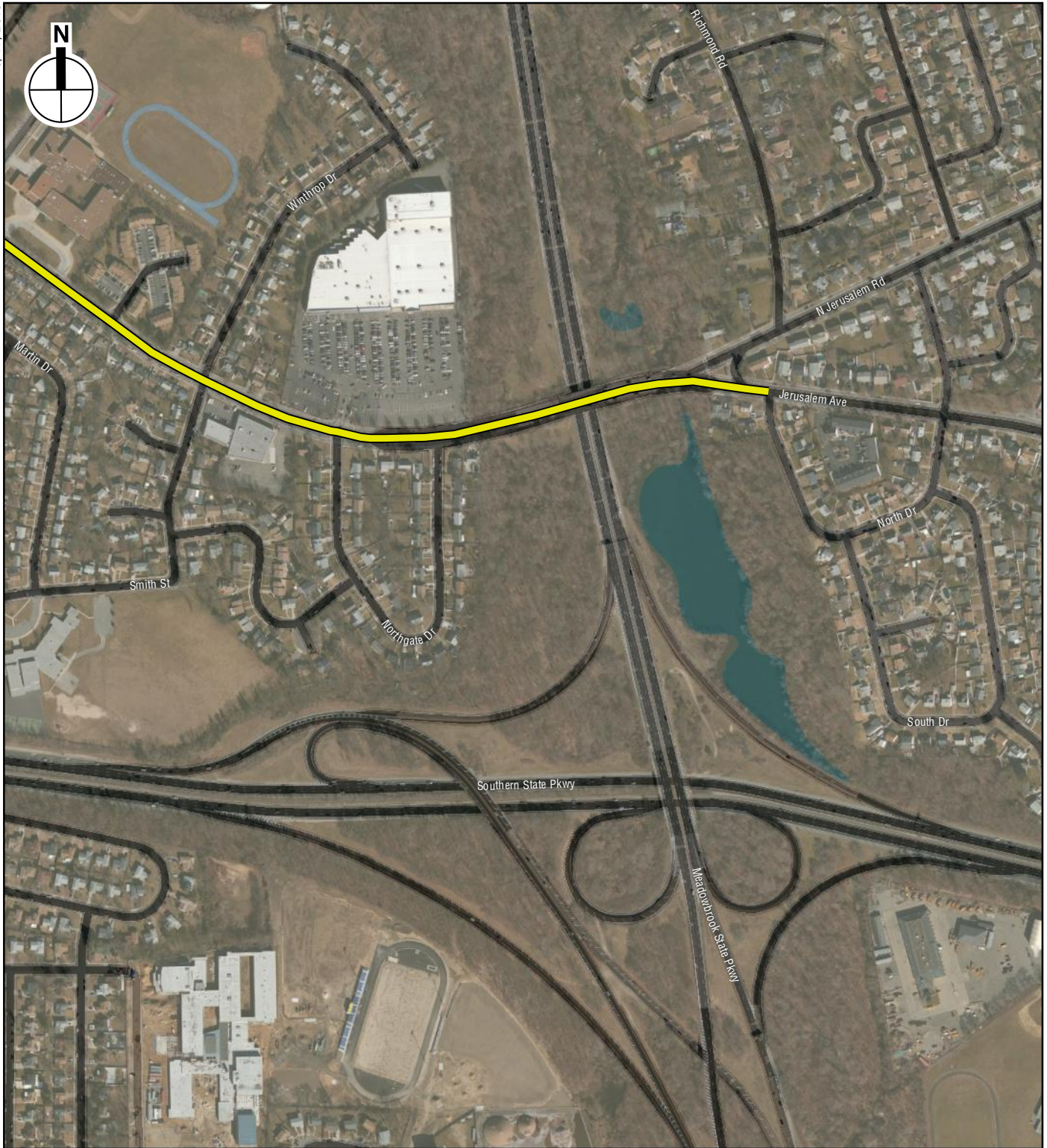


 Project Site

0  1 Miles



3/19/2015



Project Site

0 1,000 Feet

Barnes Avenue

Detailed Location Map  
Meadowbrook State Parkway Crossing  
Figure 2





## **Appendix A – Agency Correspondence**

**New York State Office of Parks, Recreation and Historic Preservation  
(NYSOPRHP)**



## New York State Office of Parks, Recreation and Historic Preservation

Division for Historic Preservation

Peebles Island, PO Box 189, Waterford, New York 12188-0189

518-237-8643

[www.nysparks.com](http://www.nysparks.com)

**Andrew M. Cuomo**  
Governor

**Rose Harvey**  
Commissioner

January 30, 2015

Joseph Davenport, Chief Sanitary Engineer  
3340 Merrick Rd., Building R, 3rd Floor  
Wantagh, NY 11793

Re: Nassau County Dept. Public Works  
NCDPW Capital Project No. 3P311-09C/ CE 2415A-02  
Governor's Office of Storm Recovery (GOSR), Storm Mitigation Loan Program (SMLP),  
NYS Environmental Facilities Corp (EFC)  
Weekes Park: Front St, Peninsula Blvd, Clinton St; Hempstead/ Nassau County  
14PR04885

Dear Mr. Davenport:

Thank you for requesting the comments of the New York State Historic Preservation Office (SHPO). We have reviewed the submitted materials in accordance with Section 106 of the National Historic Preservation Act of 1966. These comments are those of the SHPO and relate only to Historic/Cultural resources. They do not include other environmental impacts to New York State Parkland that may be involved in or near your project. Such impacts must be considered as part of the environmental review of the project pursuant to the National Environmental Policy Act and/or the State Environmental Quality Review Act (New York Environmental Conservation Law Article 8).

Based on this review, the SHPO has determined that the proposed undertaking will have No Adverse Effect to Historic Properties in or eligible for inclusion in the State or National Register of Historic Places.

If further correspondence is required regarding this project, please refer to the SHPO Project Review (PR) number noted above. If I can be of further assistance, please contact me at (518) 268-2187.

Sincerely,

Larry K Moss  
Historic Preservation Technical Specialist

CC: Gary Kersic

**U.S. Fish and Wildlife Service  
(USFWS)**



## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



April 2, 2015

Patricia Cole  
Deputy Field Supervisor  
New York Field Office  
U.S. Fish and Wildlife Service  
3817 Luker Road  
Cortland, NY 13045

Re: Informal Section 7 Consultation for the Nassau County Barnes Avenue Sanitary Sewer Overflow (SSO) Correction Project

Dear Ms. Cole:

The Governor's Office of Storm Recovery (GOSR), acting under the auspices of New York State Homes and Community Renewal's (HCR) Housing Trust Fund Corporation (HTFC), on behalf of the Department of Housing & Urban Development (HUD) is currently preparing an Environmental Assessment (EA) for the Nassau County Department of Public Works Barnes Avenue Sanitary Sewer Overflow (SSO) Correction Project (the "Proposed Action") (see **Figures 1 through 3**). GOSR is acting as HUD's non-federal representative for the purposes of conducting consultation pursuant to Section 7 of the Endangered Species Act.

The purpose of this letter is to provide the U.S. Fish and Wildlife Service – New York Field Office (USFWS) notice of the Proposed Action and to initiate informal consultation with USFWS under Section 7 of the Endangered Species Act (ESA) to determine whether any federally threatened, endangered, candidate, or proposed species, or their designated critical habitats could be affected. The majority of the Proposed Action—installation of new pump station and force main to repair damage to the sewer system sustained during Hurricane Sandy—would occur within existing road rights-of-way and currently developed areas and would have no potential to affect federally-protected species. The eastern terminus of the force main west and east of Meadowbrook State Parkway would require tree clearing within a 12-foot- wide right-of-way for approximately 250 linear feet west of Meadowbrook State Parkway and 400 linear feet east of Meadowbrook State Parkway (see **Figure 3**) for installation of the force main and for the jacking pits needed to jack the force main under Meadowbrook Parkway and East Meadow Brook.

The USFWS Information, Planning and Conservation (IPaC) online planning tool Trust Resource List generated for the proposed project (see **Attachment 1**) lists the following Federally-listed species as having the potential to occur within the vicinity of the portion of the Proposed Actions where vegetation clearing will occur adjacent to Meadowbrook State Parkway: piping plover (*Charadrius melodus*) -



threatened, roseate tern (*Sterna gougallii*) - endangered, rufa red knot (*Calidris canutus rufa*) – threatened, northern long-eared bat (*Myotis septentrionalis*) - proposed for listing, sandplain gerardia (*Agalinis acuta*) - endangered, and seabeach amaranth (*Amaranthus pumilus*) - threatened. This correspondence represents the GOSR’s assessment of effects in compliance with section 7 of the ESA of 1973, as amended, with respect to the Proposed Action.

No habitat for piping plover, roseate tern, rufa red knot, sandplain gerardia and seabeach amaranth is present within the portion of the proposed force main route adjacent to Meadowbrook State Parkway, or the remaining portion of the force main alignment and pump station location and these species are not expected to occur within the project site. Therefore, the Proposed Action has no or little potential for effect to these species or the habitats on which these species depend.

The northern long-eared bat, proposed for listing as federally endangered, is a temperate, insectivorous bat whose life cycle can be coarsely divided into two primary phases - reproduction and hibernation. Northern long-eared bats hibernate in caves or mines during winter and then emerge in early spring, with males dispersing and remaining solitary until mating season at the end of the summer, and pregnant females forming maternity colonies in which to rear young. No caves or mines occur near the project site. Summer habitat of the northern long-eared bat generally includes upland and riparian forest within heavily forested landscapes (Ford et al. 2005, Henderson et al. 2008). The long-eared bat is sensitive to fragmentation and urbanization, and requires interior forest for both foraging and breeding (Foster and Kurta 1999, Broders et al. 2006, Henderson et al. 2008). Roost trees are usually in intact forest, close to the core and away from large clearings, roads, or other sharp edges (Menzel et al. 2002, Owen et al. 2003, Carter and Feldhammer 2005). The woodland habitat present within the force main route adjacent to the Meadowbrook State Parkway is bounded by an urbanized landscape and broken up by roadways, limiting the potential for northern long-eared bat to occur within these woodlands. The limited amount of tree clearing that would occur for the Proposed Action would only occur during the October 1 to March 31 tree clearing window to minimize adverse effects to northern long-eared bat, would result in minimal habitat loss, and would not result in fragmentation of a contiguous woodland area. For these reasons, the Proposed Action may affect but is unlikely to adversely affect the northern long-eared bat or the habitat on which this species depends.

### **Compliance**

For purposes of consultation under Section 7(a)(2) of the ESA, we conclude that the Proposed Action will have no effect on the piping plover, roseate tern, rufa red knot, sandplain gerardia and seabeach amaranth or the habitats on which these species depend, and may affect but is unlikely to adversely affect northern long-eared bat and the habitats on which this species depends. We request your concurrence with this determination.

If you have questions or require additional information regarding this request, please contact me at (646) 417-4660 or [thomas.king@stormrecovery.ny.gov](mailto:thomas.king@stormrecovery.ny.gov). Thank you for your time and consideration.

Sincerely,



Thomas J. King, Esq.  
Certifying Officer, NYS Homes and  
Community Renewal

#### Literature Cited

- Broders, H.G., G.J. Forbes, S. Woodley, and I.D. Thompson. 2006. Range extent and stand selection for forest-dwelling northern long-eared and little brown bats in New Brunswick. *Journal of Wildlife Management* 70: 1174-1184.
- Carter, T.C., and G.A. Feldhamer. 2005. Roost tree use by maternity colonies of Indiana bats and northern long-eared bats in southern Illinois. *Forest Ecology and Management* 219:259-268.
- Ford, W.M., M.A. Menzel, J.L. Rodrigue, J.M. Menzel, and J.B. Johnson. 2005. Relating bat species presence to simple habitat measures in a central Appalachian forest. *Biological Conservation* 126: 528-539.
- Foster, R.W. and A. Kurta, A. 1999. Roosting ecology of the northern bat (*Myotis septentrionalis*) and comparisons with the endangered Indiana bat (*Myotis sodalis*). *Journal of Mammalogy* 80: 659-672.
- Henderson, L.E., L.J. Farrow, and H.G. Broders. 2008. Intra-specific effects of forest loss on the distribution of the forest-dependent northern long-eared bat (*Myotis septentrionalis*). *Biological Conservation* 141:1819-1828.
- Menzel, M.A., S.F. Owen, W.M. Ford, J.W. Edwards, P.B. Wood, B.R. Chapman, and K.V. Miller. 2002. Roost tree selection by northern long-eared bat (*Myotis septentrionalis*) maternity colonies in an industrial forest of the central Appalachian mountains. *Forest Ecology and Management* 155:107-114.
- Owen, S.F., M.A. Menzel, W.M. Ford, B.R. Chapman, K.V. Miller, J.W. Edwards, and P.B. Wood. 2003. Home-range size and habitat used by the northern myotis (*Myotis septentrionalis*). *American Midland Naturalist* 150:352-359.





U.S. Fish and Wildlife Service

## Trust Resources List

**This resource list is to be used for planning purposes only — it is not an official species list.**

**Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:**

**Long Island Ecological Services Field Office**  
340 SMITH ROAD  
SHIRLEY, NY 11967  
(631) 286-0485

***Project Name:***

Barnes



U.S. Fish and Wildlife Service

## Trust Resources List

### *Project Location Map:*



### *Project Counties:*

Nassau, NY

### *Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):*

MULTIPOLYGON (((-73.5765044 40.6948582, -73.5736946 40.6953308, -73.5726431 40.6920932, -73.5763328 40.6919785, -73.5765044 40.6948582)))

### *Project Type:*

Wastewater Pipeline



U.S. Fish and Wildlife Service

## Trust Resources List

### ***Endangered Species Act Species List (USFWS Endangered Species Program).***

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

#### **Species that should be considered in an effects analysis for your project:**

Birds	Status		Has Critical Habitat	Contact
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened	<a href="#">species info</a>	<a href="#">Final designated critical habitat</a> <a href="#">Final designated critical habitat</a>	Long Island Ecological Services Field Office
Red Knot ( <i>Calidris canutus rufa</i> ) Population:	Threatened	<a href="#">species info</a>		Long Island Ecological Services Field Office
Roseate tern ( <i>Sterna dougallii dougallii</i> ) Population: northeast U.S. nesting pop.	Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office
Flowering Plants				
Sandplain gerardia ( <i>Agalinis acuta</i> )	Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office
Seabeach amaranth ( <i>Amaranthus pumilus</i> )	Threatened	<a href="#">species info</a>		Long Island Ecological Services Field Office
Mammals				
northern long-eared Bat ( <i>Myotis septentrionalis</i> ) Population:	Proposed Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office

#### **Critical habitats within your project area:**



U.S. Fish and Wildlife Service

## Trust Resources List

*There are no critical habitats within your project area.*

### ***FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).***

*There are no refuges found within the vicinity of your project.*

### ***FWS Migratory Birds ([USFWS Migratory Bird Program](#)).***

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

### **Migratory birds of concern that may be affected by your project:**

There are **25** birds on your Migratory birds of concern list. The underlying data layers used to generate the migratory bird list of concern will continue to be updated regularly as new and better information is obtained. User feedback is one method of identifying any needed improvements. Therefore, users are encouraged to submit comments about any questions regarding species ranges (e.g., a bird on the USFWS BCC list you know



U.S. Fish and Wildlife Service

## Trust Resources List

does not occur in the specified location appears on the list, or a BCC species that you know does occur there is not appearing on the list). Comments should be sent to [the ECOS Help Desk](#).

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
American Oystercatcher ( <i>Haematopus palliatus</i> )	Yes	<a href="#">species info</a>	Year-round
American bittern ( <i>Botaurus lentiginosus</i> )	Yes	<a href="#">species info</a>	Breeding
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Yes	<a href="#">species info</a>	Year-round
Black Skimmer ( <i>Rynchops niger</i> )	Yes	<a href="#">species info</a>	Breeding
Black rail ( <i>Laterallus jamaicensis</i> )	Yes	<a href="#">species info</a>	Breeding
Black-billed Cuckoo ( <i>Coccyzus erythrophthalmus</i> )	Yes	<a href="#">species info</a>	Breeding
Blue-winged Warbler ( <i>Vermivora pinus</i> )	Yes	<a href="#">species info</a>	Breeding
Canada Warbler ( <i>Wilsonia canadensis</i> )	Yes	<a href="#">species info</a>	Breeding
Fox Sparrow ( <i>Passerella iliaca</i> )	Yes	<a href="#">species info</a>	Wintering
Gull-billed Tern ( <i>Gelochelidon nilotica</i> )	Yes	<a href="#">species info</a>	Breeding
Hudsonian Godwit ( <i>Limosa haemastica</i> )	Yes	<a href="#">species info</a>	Migrating
Least Bittern ( <i>Ixobrychus exilis</i> )	Yes	<a href="#">species info</a>	Breeding
Least tern ( <i>Sterna antillarum</i> )	Yes	<a href="#">species info</a>	Breeding
Pied-billed Grebe ( <i>Podilymbus podiceps</i> )	Yes	<a href="#">species info</a>	Year-round
Prairie Warbler ( <i>Dendroica discolor</i> )	Yes	<a href="#">species info</a>	Breeding
Purple Sandpiper ( <i>Calidris maritima</i> )	Yes	<a href="#">species info</a>	Wintering





U.S. Fish and Wildlife Service

## Trust Resources List

Red Knot ( <i>Calidris canutus rufa</i> )	Yes	<a href="#">species info</a>	Wintering
Rusty Blackbird ( <i>Euphagus carolinus</i> )	Yes	<a href="#">species info</a>	Wintering
Saltmarsh Sparrow ( <i>Ammodramus caudacutus</i> )	Yes	<a href="#">species info</a>	Breeding
Seaside Sparrow ( <i>Ammodramus maritimus</i> )	Yes	<a href="#">species info</a>	Year-round
Short-eared Owl ( <i>Asio flammeus</i> )	Yes	<a href="#">species info</a>	Wintering
Snowy Egret ( <i>Egretta thula</i> )	Yes	<a href="#">species info</a>	Breeding
Upland Sandpiper ( <i>Bartramia longicauda</i> )	Yes	<a href="#">species info</a>	Breeding
Wood Thrush ( <i>Hylocichla mustelina</i> )	Yes	<a href="#">species info</a>	Breeding
Worm eating Warbler ( <i>Helmitheros vermivorum</i> )	Yes	<a href="#">species info</a>	Breeding

### ***NWI Wetlands ([USFWS National Wetlands Inventory](#)).***

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

### **Data Limitations, Exclusions and Precautions**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of



U.S. Fish and Wildlife Service

## Trust Resources List

error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

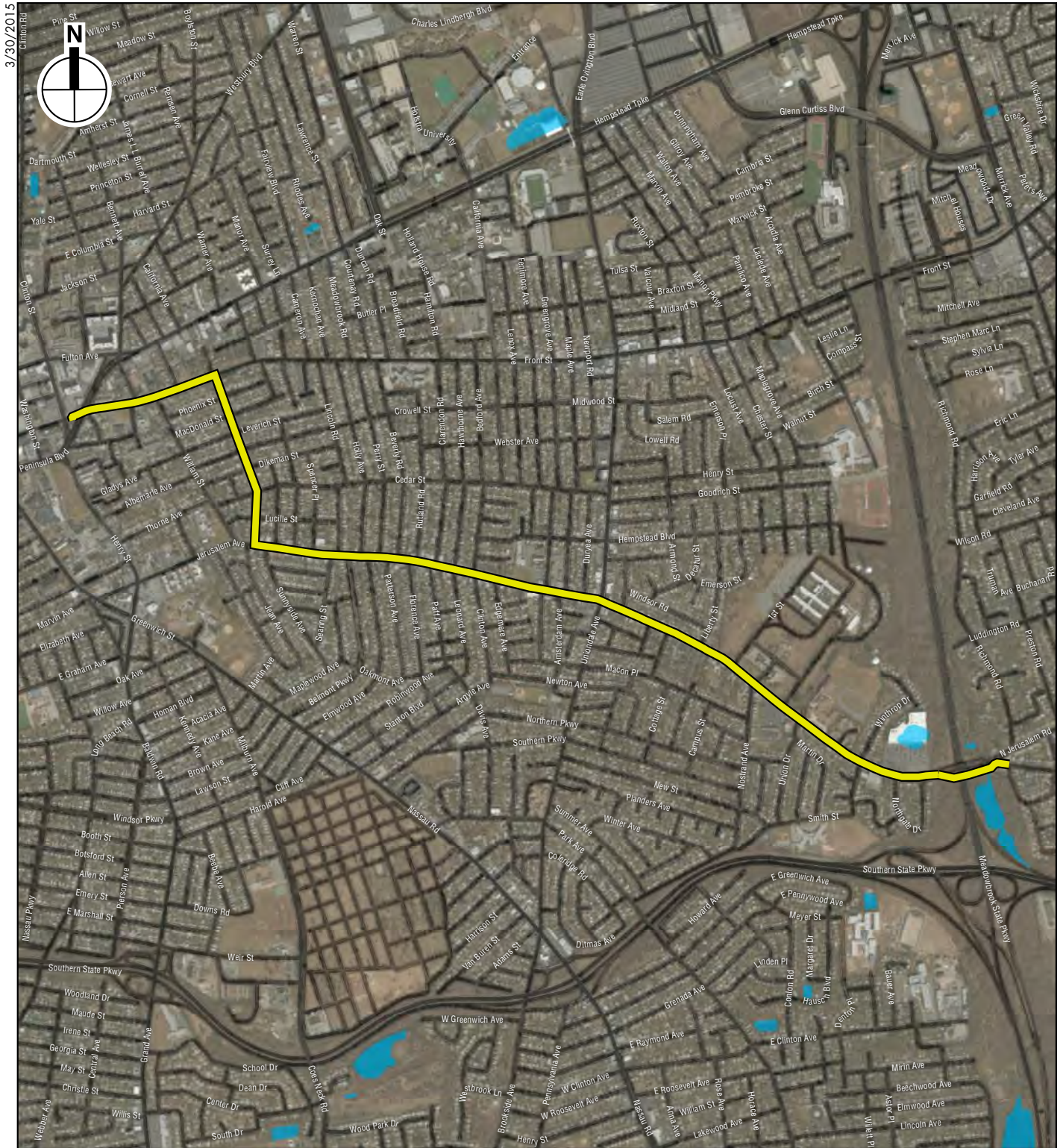
**Exclusions** - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

**Precautions** - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

**The following wetland types intersect your project area in one or more locations:**

Wetland Types	NWI Classification Code	Total Acres
Freshwater Forested/Shrub Wetland	<a href="#">PFO1A</a>	27.2592
Freshwater Pond	<a href="#">PUBH</a>	4.9227

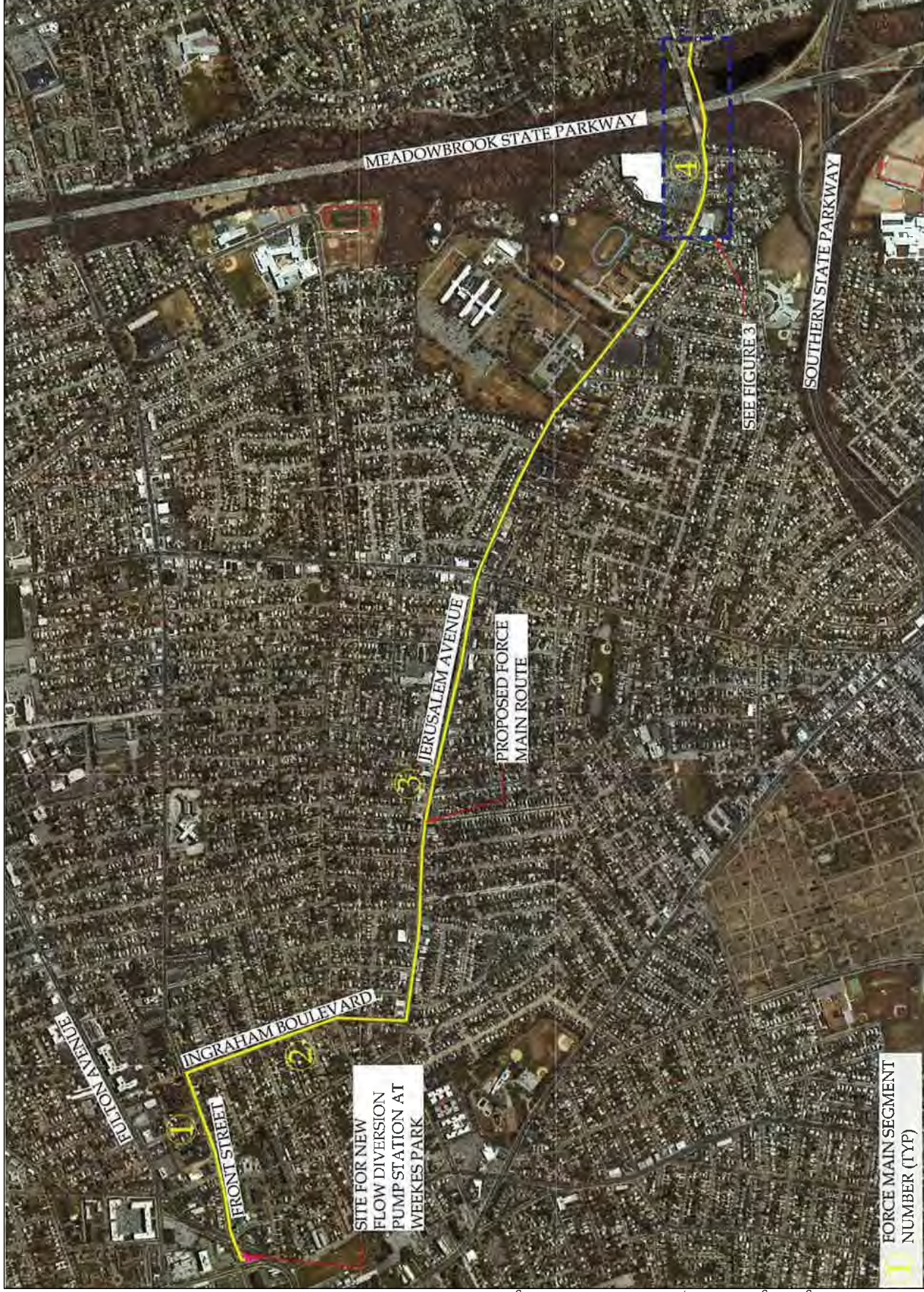




 Project Site

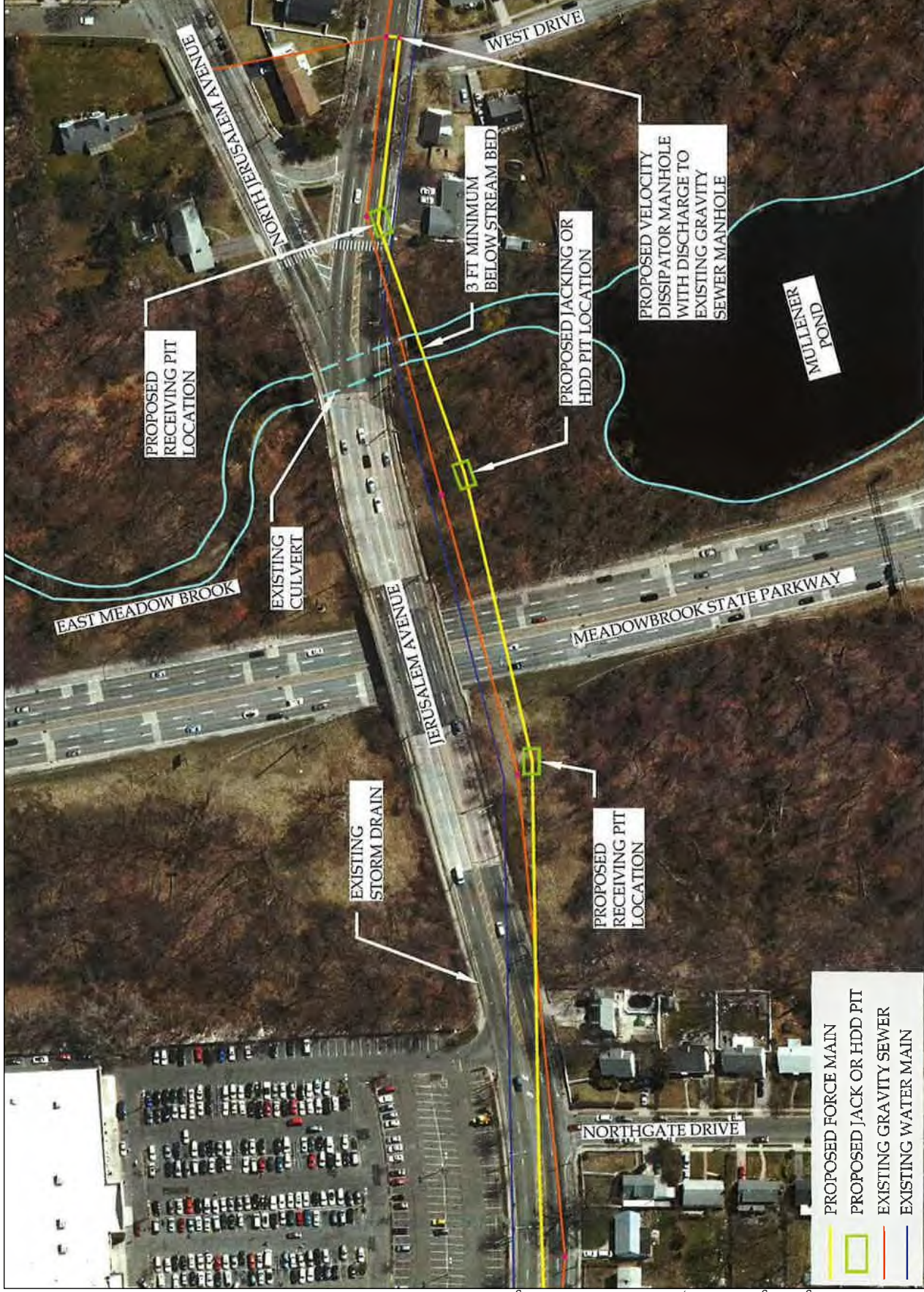
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Proposed Force Main Route  
Figure 2





Pipe Jack/HDD Beneath  
Meadowbrook Parkway  
**Figure 3**



## United States Department of the Interior

### FISH AND WILDLIFE SERVICE

Long Island Field Office

340 Smith Road

Shirley, NY 11967

Phone: (631) 286-0485 Fax: (631) 286-4003

<http://www.fws.gov/northeast/nyfo>



To: Thomas King

Date: April 22, 2015

USFWS File No: \_\_\_\_\_

Regarding your: ☒ letter ☐ FAX ☐ E-mail dated: April 2, 2015

For project: NASSAUCOY BARNES AVE SAMUELSON SOUTHERN BLUE BIRD

Located: \_\_\_\_\_

In Town/County: NASSAUCOY

**Pursuant to the Endangered Species Act of 1973 (ESA) (87 Stat. 884, as amended; 16 U.S.C. 1531 *et seq.*), the U.S. Fish and Wildlife Service:**

- ☒ Acknowledges receipt of your "no effect" determination. No further ESA coordination or consultation is required.  
FOR PPL, SBA, SGA, ROTE, REKN
- ☒ Acknowledges receipt of your determination. Please provide copy of your determination and supporting materials to any involved Federal agency for their final ESA determination. MLTAA FOR NORTHERN LONG-EARED BAT  
FWS CONCURS
- ☐ Is taking no action pursuant to ESA or any other legislation at this time but would like to be kept informed of project developments.

As a reminder, until the proposed project is complete, we recommend that you check our website (<http://www.fws.gov/northeast/nyfo/es/section7.htm>) every 90 days from the date of this letter to ensure that listed species presence/absence information for the proposed project area is current. Should project plans change or additional information on listed or proposed species or critical habitat become available, this determination may be reconsidered.

**Pursuant to the Fish and Wildlife Coordination Act (FWCA) (48 Stat. 401, as amended; 16 U.S.C. 661 *et seq.*),**

- |   |  |
|---|--|
| <input type="checkbox"/> Requests additional time for review.       | <input type="checkbox"/> Is taking no action pursuant to FWCA due to lack of funding.  |
| <input type="checkbox"/> Is providing FWCA comments (see attached). | <input type="checkbox"/> Has no objection pursuant to the FWCA.  |
| <input type="checkbox"/> Will provide FWCA comments separately.     | <input type="checkbox"/> Is taking no action pursuant to the FWCA at this time but would like to be kept informed of project developments. |

USFWS Contact(s): Stu B.

Date: April 22, 2015

Supervisor: \_\_\_\_\_

Date: \_\_\_\_\_

**U.S. Environmental Protection Agency  
(USEPA)**





## GOVERNOR'S OFFICE OF STORM RECOVERY

Andrew M. Cuomo  
Governor

James Rubin  
Executive Director



April 13, 2015

Ms. Grace Musemeci  
Chief, Environmental Impacts Branch  
U.S. Environmental Protection Agency  
Region II Main Regional Office  
290 Broadway, 25th Floor  
New York, NY 10007

RE: CDBG-DR Funding Application, Barnes Avenue Sanitary Sewage Flow Diversion Project

Dear Ms. Musemeci:

The New York State Governor's Office of Storm Recovery (GOSR) received a funding application for the Barnes Avenue Sanitary Sewage Flow Diversion Project, located in the Town of Hempstead, Nassau County, New York. The project would include the construction of a wastewater flow diversion pumping station and wastewater force main piping. For additional information please see enclosed submission.

Pursuant to the Disaster Relief Appropriations Act, 2013 (Public Law 113-2) and the Housing and Community Development Act (42 U.S.C. § 5301 et seq.), GOSR is acting under the auspices of New York State Homes and Community Renewal's Housing Trust Fund Corporation as a recipient of Community Development Block Grant – Disaster Recovery ("CDBG-DR") funds from the United States Department of Housing and Urban Development ("HUD") and is the entity responsible for compliance with the HUD NEPA environmental review procedures set forth in 24 C.F.R. Part 58. 24 C.F.R. Part 58 requires GOSR to review projects for conformance with the Safe Drinking Water Act of 1974 (42 U.S.C. 201, 300(f) et seq., and 21 U.S.C. 349) as amended, and Environmental Protection Agency (EPA) regulations pertaining to Sole Source Aquifers found at 40 C.F.R. Part 149.

In accordance with the Memorandum of Understanding ("MOU") between EPA and HUD dated August 24, 1990, GOSR hereby requests an Initial Screen/Preliminary Review for the Barnes Avenue Sanitary Sewage Flow Diversion Project. Please review the attached documentation, including Attachment 2.A and 3 to the MOU.

Responses can be sent to me via email at [Thomas.King@stormrecovery.ny.gov](mailto:Thomas.King@stormrecovery.ny.gov). In accordance with the MOU, a non-response within fifteen days shall constitute a favorable review of the project/activity. If you have any questions, please call me at (518) 473-0015.

Sincerely,

Thomas J. King  
Assistant General Counsel and Certifying Officer

Enclosures

## ATTACHMENT 2.A

### NON-HOUSING PROJECT/ACTIVITY INITIAL SCREEN CRITERIA

(For projects in a designated Sole Source Aquifer area)

The following list of criteria questions are to be used as an initial screen to determine which non-housing projects/activities should be forwarded to the Environmental Protection Agency (EPA) for Preliminary Sole Source Aquifer (SSA) Review. (For housing projects/activities see Attachment 2.B) If any of the questions are answered affirmatively, Attachment 3, SSA Preliminary Review Requirements, should also be completed. The application/final statement, this Attachment, Attachment 3, and any other pertinent information should then be forwarded to EPA at the address below.

Any project/activity not meeting the criteria in this Attachment, but suspected of having a potential adverse effect on the Sole Source Aquifer should also be forwarded. Contact EPA if you have any questions.

Chief, Environmental Impacts Branch  
USEPA Region II  
26 Federal Plaza, Room 500  
New York, New York 10278  
(212) 264-1840

#### CRITERIA QUESTIONS

YES NO N/A

- |   |            |
|---|------------|
| 1. Is the project/activity located within a currently designated or proposed groundwater sensitive area such as a special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area, etc.? (This information can be obtained from the County or Regional planning board, the local health department, the State health department, or the State environmental agency.) | <u>NO</u>  |
| 2. Is the project/activity located within a one half mile radius (2640 feet) of a current or proposed public water supply well or wellfield? (This information can be obtained from the local health department, the State health department or the State environmental agency.)  | <u>YES</u> |
| 3. Will the project/activity include or directly cause: (check appropriate items)   |            |
| - construction or expansion of solid waste disposal, recycling or conversion facilities   | <u>NO</u>  |
| - construction or expansion or closure of landfills   | <u>NO</u>  |
| - construction or expansion of water supply facilities (i.e. treatment plant, pump house, etc.)   | <u>NO</u>  |
| - construction or expansion of on-site wastewater treatment plants or sewage trunk lines, greater than 1/4 mile   | <u>YES</u> |
| - construction or expansion of gas or petroleum trunk lines, greater than 1200 feet   | <u>NO</u>  |
| - construction or expansion of railroad spurs or similar extensions   | <u>NO</u>  |
| - construction or expansion of municipal sewage treatment plants  | <u>NO</u>  |

4. Will the project/activity include storage or handling of any hazardous constituents as listed in Attachment 4, Hazardous Constituents? NO  
If these constituents are used during the construction phase of the project, then an assurance statement must be provided indicating that chemicals will be used in a safe and proper manner and that they will be promptly removed after construction is completed.
5. Will the project/activity include bulk storage of petroleum in underground or above ground tanks in excess of 1100 gallons? YES
6. Will the project/activity require a federal or state discharge elimination permit or modification of an existing permit? NO

This attachment was completed by:

Name: Thomas King

Title: Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery

Address: 99 Washington Avenue  
Suite 1224  
Albany, NY 12231

Telephone number: (518) 473-0015

Date: April 13, 2015

## ATTACHMENT 3

### SSA PRELIMINARY REVIEW INFORMATION REQUIREMENTS

Where currently available, the information in this Attachment should be provided to the Environmental Protection Agency (see address below) along with the application/final statement; Attachment 2.A, Non-Housing Initial Screen Criteria or Attachment 2.B, Housing Initial Screen Criteria; and any other information which may be pertinent to a Sole Source Aquifer review. Where applicable, indicate the source of your information.

Chief, Environmental Impacts Branch  
USEPA Region II  
26 Federal Plaza, Room 500  
New York, New York 10278  
(212) 264-1840

#### I. Project/Activity Location

ENCLOSED

YES NO

1. Provide the geographic location and total acreage of the project/activity site. Include a site location map which identifies the site in relation to the surrounding area. (Examples of maps which can be used include: 1:24,000 or 1:25,000 U.S. Geological Survey quadrangle sheet, Hagstroms Street Map)

YES

2. If applicable, identify which groundwater sensitive areas (special Ground Water Protection Area, Critical Supply Area, Wellhead Protection Area, etc.) the project/activity is located in or adjacent to. (This information can be obtained from the County or Regional planning board, the local health department, the State health department, or the State environmental agency.)

N/A

Project is not in  
or adjacent to any  
of these areas

#### II. Nature of Project/Activity

3. Provide a general narrative describing the project/activity including but not limited to: type of facility; type of activities to be conducted; number and type of units; number of residents, etc. Provide the general layout of the project/activity site and a site-plan if available.

YES

#### III. Public Water Supply

N/A

Project will not  
use water or  
create a new

4. Provide a description of plans to provide water supply.
5. Provide the location of nearby existing or proposed public water supply wells or wellfields within a one half mile radius (2640 feet) of the project/activity. Provide the name of the supplier(s) of those wells or

demand for water



wellfields. This information should be available from the local health department, State health department, or the State environmental agency. If private wells are to be used, then information necessary to obtain a well drilling permit should be provided.

YES

#### IV. Wastewater and Sewage Disposal

- |  |  |
|--|--|
| 6. Provide a description of plans to handle wastewater and sewage disposal. If the project/activity is to be served by existing public sanitary sewers provide the name of the sewer district. | N/A<br>Project will not<br>generate<br><u>wastewater</u> |
| 7. Provide a description of plans to handle storm water runoff.  | <u>YES</u>   |
| 8. Identify the location, design, size, of any on-site recharge basins, dry wells, leaching fields, retention ponds, etc.  | <u>YES</u>   |

#### V. Use, Storage, Transport of Hazardous or Toxic Materials (Applies only to non-housing projects/activities)

- |   |  |
|---|--|
| 9. Identify any products listed in Attachment 4, Hazardous Constituents, of the Housing and Urban Development-Environmental Protection Agency Memorandum of Understanding which may be used, stored, transported, or released as a result of the construction activity. | N/A<br>No hazardous<br>constituents to be<br><u>used</u> |
| 10. Identify the number and capacity of underground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.  | <u>YES</u>   |
| 11. Identify the number and capacity of above ground storage tanks at the project/activity site. Identify the products and volume to be stored, and the location on the site.   | N/A<br>No above ground<br><u>storage tanks</u>           |

## **Project Description**

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin for more than a decade. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. According to the NY Rising Community Reconstruction Plan for Baldwin and Baldwin Harbor, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system, breaching the sewer main in leading to Bay Park WPCP. Due to the severity of the resulting SSO event, a state of emergency was declared in the Barnes Avenue neighborhood.

The flow diversion project proposed herein addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment. In addition to improving the resiliency of the local sewer system, the project would improve the capacity of the sewer collection system in the Village of Hempstead to a level necessary to sustain potential future development.

The proposed project involves construction, renovation, and other modifications to the sewer system in the Village of Hempstead necessary to improve the capacity of the wastewater collection system and eliminate sanitary sewer overflows in the Barnes Avenue area of Baldwin, located downstream. In order to improve the capacity of the system, a volume of wastewater flow must be diverted to a portion of the system with adequate capacity for conveyance and treatment.

The project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. In total, 17,890 linear feet of force main piping would be installed through a combination of open cut excavation and pipe jacking. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin to the County's Sewer Collection District No. 3 in North Merrick and ultimately treated and discharged from Cedar Creek WPCP.

The depth to the top of the pipe is approximately 10 feet below ground surface (bgs). Pipe diameters are 18 inches and 24 inches; with the expected depth of the jacking pits approximately 12 feet to 13 feet bgs. Groundwater recovered during dewatering of the jacking pits will be treated and discharged in accordance to NYSDEC requirements. Because dewatering of the jacking pits will only be withdrawing groundwater from the surficial aquifer, it does not have the potential to adversely affect the much deeper aquifer in which the water supply wells are located.

Figure 1 provides a map of the project area. Figure 2 provides a map of the proposed force main routing. Figure 3 provides a site plan for the Flow Diversion Pumping Station at Weekes Park.

## **Water Supply**

Operation of the new force main and pump station will not generate any additional demand for water.

There are six (6) existing public water supply wells within a one half mile radius of the project. All of these wells are in the vicinity of Mitchell Street and St. Agnes Road, north of the project site and west of the Meadowbrook State Parkway.

### **Stormwater Run-off**

Stormwater runoff from the new Weekes Park Flow Diversion Pumping Station site will be directed to a new on-site drywell in accordance with Nassau County Onsite Drainage Requirements, NYSDEC Stormwater Management Standards, and the Village of Hempstead Stormwater Code.

Soil erosion and sediment control measures will be taken during construction to manage runoff from the construction site. Figure 4 provides soil erosion and sediment control plan details and notes.

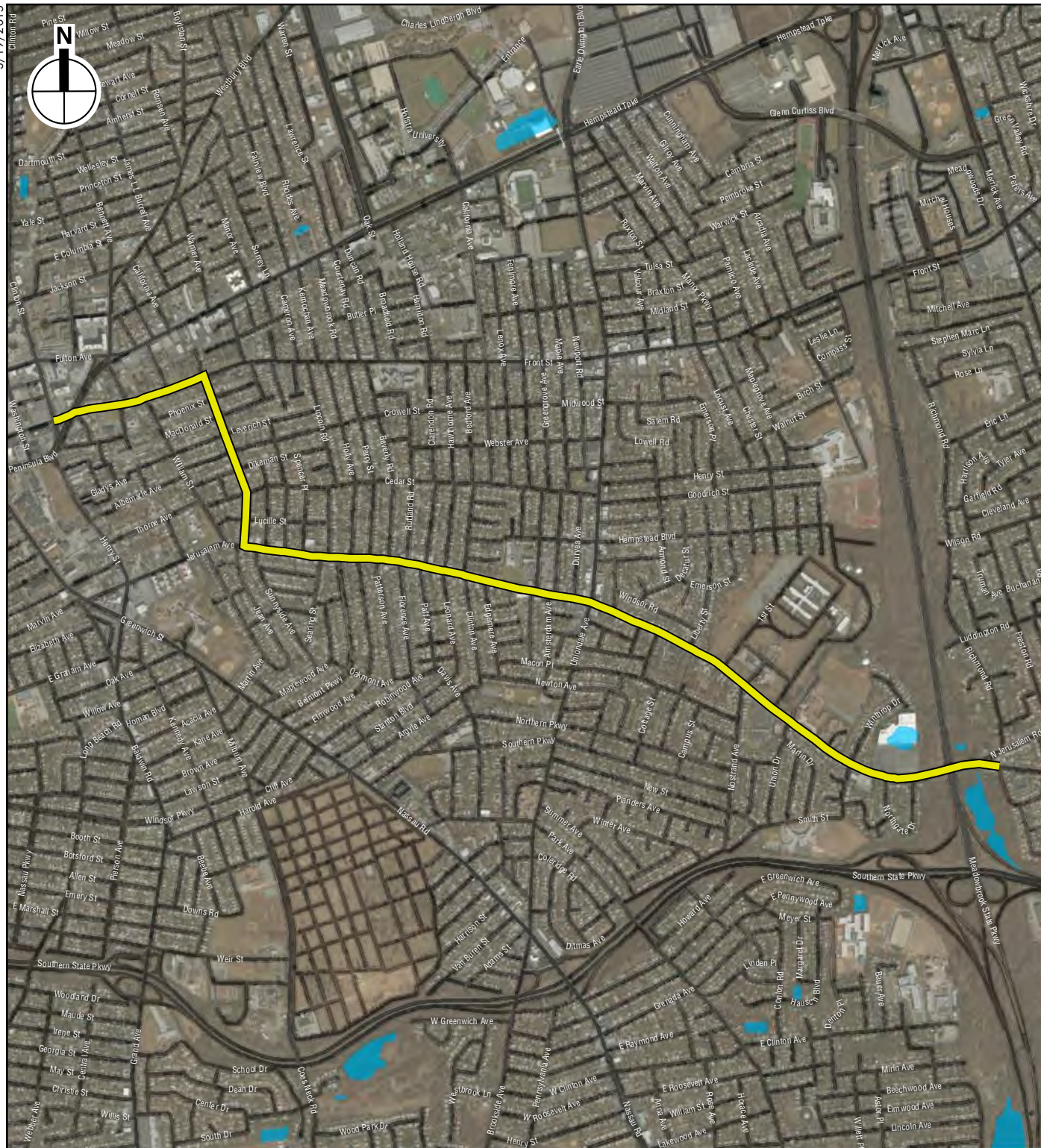
### **Drywells**

The location and design of the proposed on-site drywells are provided in Figures 5 and 6.

### **Underground Storage Tanks**

As part of the proposed project, there will be one (1) underground storage tank installed at the Weekes Park Flow Diversion Pumping Station. The tank will have a capacity of 1,665 gallons and will hold diesel fuel for the emergency generator. The tank will be a double-walled base tank and will be located below grade in the proposed generator building. Figure 7 provides a site plan showing the location of the generator building and Figure 8 provides plans for the generator building.

3/19/2015



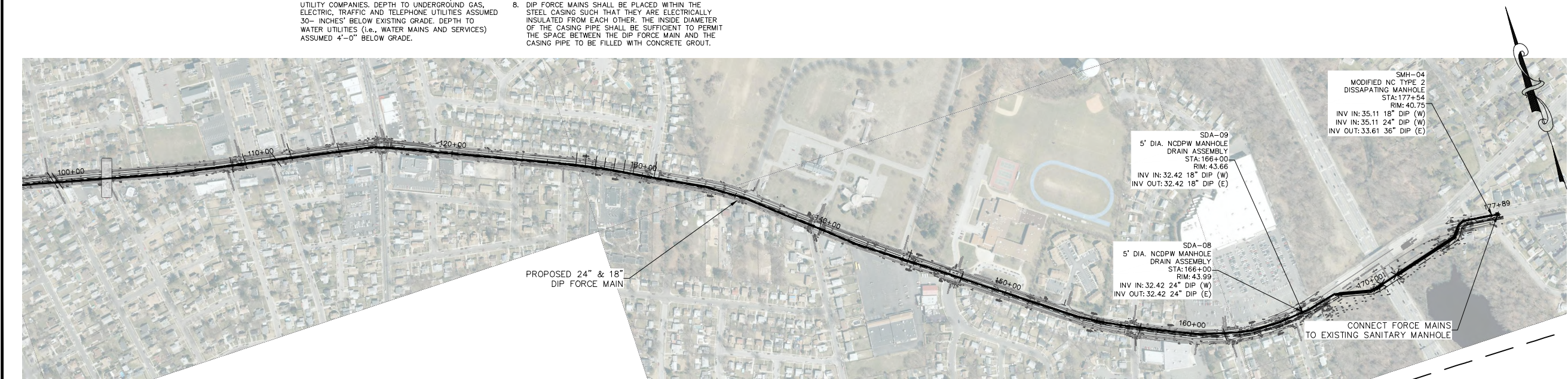
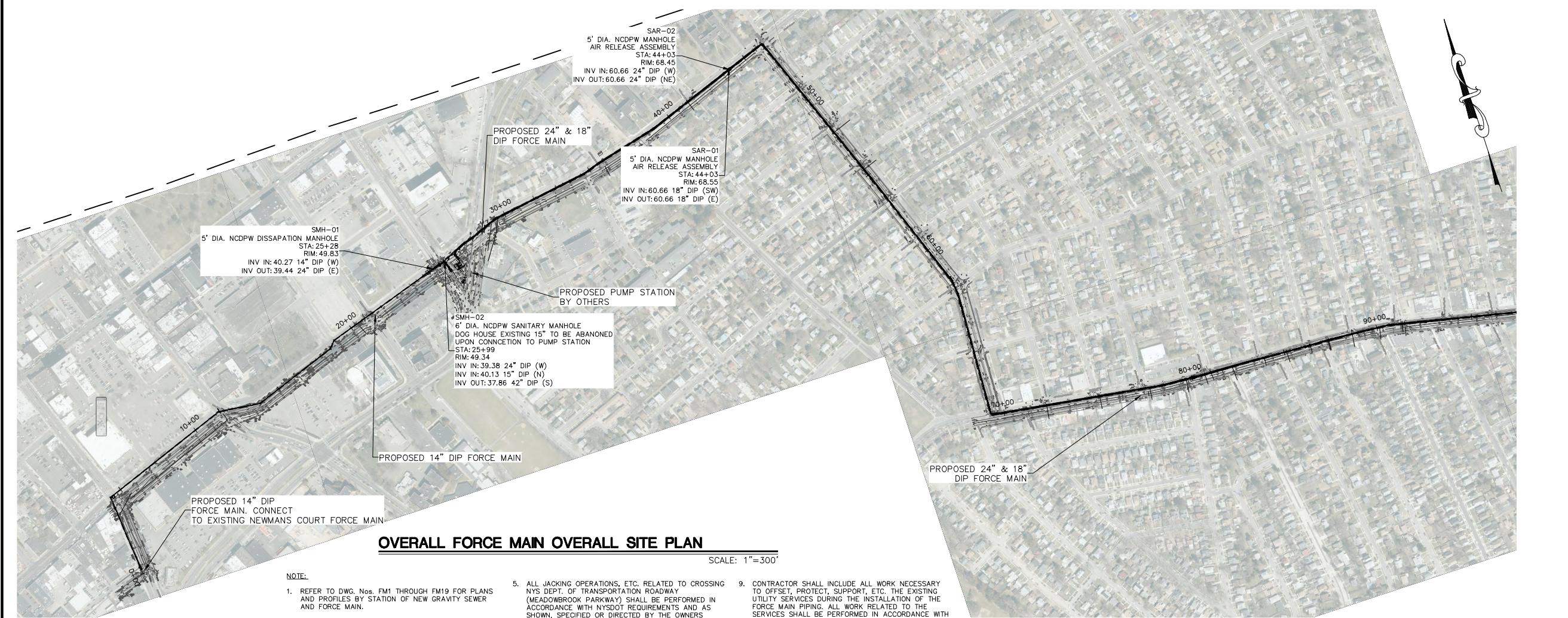
— Project Site

0 1 Miles

Total project area:  
4.2 acres (Force main route and Weekes Park Flow Diversion Pumping Station Site)

Weekes Park Flow Diversion Pumping Station Site:  
0.23 acres (total site area)  
0.1 acres (total disturbed area)





SEPARATELY BOUND SPECIFICATIONS  
ARE PART OF THIS CONTRACT

Figure 2

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303 Tarrytown Road, 1st Floor, White Plains, NY 10605  
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www.cameronengineering.com

PROJECT NAME:  
**NCDPW CONTRACT NO. 3P311-09S  
FORCE MAIN CONSTRUCTION**

PROJECT LOCATION:  
**VILLAGE OF HEMPSTEAD, NEW YORK  
FINAL REVIEW SUBMISSION**

TITLE:  
**OVERALL FORCE MAIN SITE PLAN**

DISCIPLINE:  
**CIVIL**

PROJECT ENGINEER:  
JDB

DESIGNED BY:  
JDB

DRAWN BY:  
FD

CHECKED BY:  
MW/MR

PROJECT NO.  
CE2415B-02

JOB NO.  
CE2415B-02

DATE:  
FEB. 2015

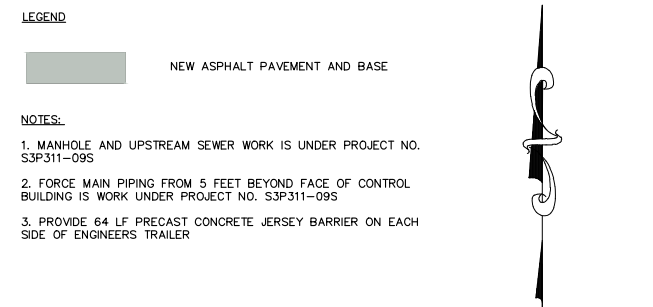
SCALE:  
AS SHOWN

DRAWING NO.

**C-1**

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5 of 34





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PROJECT NAME:  
NCDPW PROJECT NO. S3P311-09G,  
HEMPSTEAD WASTEWATER PUMPING  
STATION

PROJECT LOCATION:  
VILLAGE OF HEMPSTEAD, NEW YORK

TITLE: HEMPSTEAD PUMPING STATION  
SITE PLAN AND SITE PIPING PLAN

DISCIPLINE: CIVIL FINAL REVIEW SUBMISSION

PROJECT ENGINEER: SCH	PROJECT NO. S3P311-09G
DESIGNED BY: SCH	JOB NO. CENA 14-01
DRAWN BY: BAC / JIN	DATE: FEB. 2015
CHECKED BY: —	SCALE: AS SHOWN

DRAWING NO.

C2.0

DRAWING  
6 of 63

SOIL EROSION AND SEDIMENT CONTROL NOTES

1. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE INSTALLED PRIOR TO ANY MAJOR SOIL DISTURBANCE, OR IN THEIR PROPER SEQUENCE, AND MAINTAINED UNTIL PERMANENT PROTECTION IS ESTABLISHED. CONTRACTOR SHALL COMPLY WITH ALL PHASE II STORM WATER REQUIREMENTS.

2. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE STANDARDS FOR SOIL EROSION AND SEDIMENT CONTROL IN THE STATE OF NEW YORK. THE CONTRACTOR SHALL SUBMIT AN EROSION CONTROL PLAN TO THE OWNER'S REPRESENTATIVE FOR APPROVAL PRIOR TO CONSTRUCTION.

3. IMMEDIATELY FOLLOWING INITIAL DISTURBANCE OR ROUGH GRADING, ALL CRITICAL AREAS SUBJECT TO EROSION (I.E., STEEP SLOPES AND GRAVEL EMBANKMENTS) SHALL RECEIVE A TEMPORARY COVER OF STRAW MULCH OR A SUITABLE EQUIVALENT, AT A RATE OF TWO (2) TONS PER ACRE, ACCORDING TO STATE STANDARDS.

4. AT THE TIME WHEN THE SITE PREPARATION FOR PERMANENT VEGETATIVE STABILIZATION IS GOING TO BE ACCOMPLISHED, ANY SOIL THAT WILL NOT PROVIDE A SUITABLE ENVIRONMENT TO SUPPORT ADEQUATE VEGETATIVE GROUND COVER, SHALL BE REMOVED OR TREATED IN SUCH A WAY THAT WILL PERMANENTLY ADJUST THE SOIL CONDITIONS AND RENDER IT SUITABLE FOR VEGETATIVE COVER.

5. THE CONTRACTOR SHALL TAKE NECESSARY MEASURES TO MAINTAIN DUST CONTROL. VEHICLES SHALL BE CLEANED, AS NECESSARY, PRIOR TO USING PUBLIC STREETS. PAVED ROADS SHALL BE SPRINKLED WITH WATER. WORK AREAS ON ROADWAYS TO BE CLEANED MECHANICALLY ON SCHEDULED BASIS NO LESS THAN WEEKLY.

6. ALL SOIL EROSION AND SEDIMENT CONTROL DEVICES SHALL BE LOCATED IN THE FIELD AS REQUIRED OR AT THE DIRECTION OF THE OWNER'S REPRESENTATIVE. THE CONTRACT DRAWINGS ARE NOT INTENDED TO SHOW THE LOCATION AND DETAILS FOR ALL SUCH DEVICES BUT ARE TO BE USED AS A REASONABLE GUIDE.

7. ANY CHANGES TO THE CERTIFIED SOIL EROSION AND SEDIMENT CONTROL PLAN SHALL REQUIRE THE SUBMISSION OF A REVISED SOIL EROSION AND SEDIMENT CONTROL PLAN TO THE STATE DEC FOR THE RECERTIFICATION. THE REVISED PLANS MUST MEET ALL CURRENT STATE SOIL EROSION AND SEDIMENT CONTROL PRACTICES.

8. CONTRACTOR SHALL OBTAIN ALL REQUIRED PERMITS.

9. UPON COMPLETION OF CONSTRUCTION WORK AND AFTER FINAL GRADING AND WHEN PERMANENT STABILIZATION HAS BEEN ESTABLISHED, THE STRAW BALES SHALL BE REMOVED BY THE CONTRACTOR.

10. ALL EXCESS EXCAVATED MATERIAL, EXCEPT FOR TOPSOIL, SHALL BE REMOVED FROM THE SITE BY THE CONTRACTOR IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.

11. ALL UTILITIES AND CATCH BASIN INLETS MUST BE PROTECTED PRIOR TO START OF CONSTRUCTION.

12. THE CONTRACTOR SHALL PROVIDE A DETAILED SEQUENCE OF CONSTRUCTION OPERATIONS FOR REVIEW AND SUBMITTAL TO THE OWNER'S REPRESENTATIVE PRIOR TO THE START OF CONSTRUCTION ACTIVITIES.

13. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE IN PLACE WHERE POSSIBLE PRIOR TO, OR IMMEDIATELY FOLLOWING SITE AND ACCESS CLEARING.

14. ALL SOIL EROSION AND SEDIMENT CONTROL PRACTICES SHALL BE LEFT IN PLACE AND MAINTAINED; INCLUDING SILT AND SEDIMENT REMOVAL, UNTIL CONSTRUCTION IS COMPLETED, AREA IS STABILIZED AND THE OWNER'S REPRESENTATIVE SO DIRECTS.

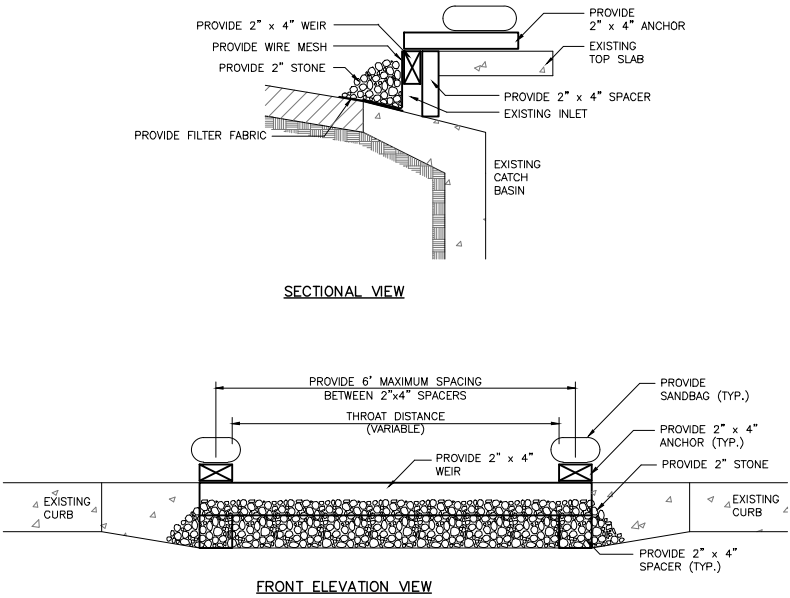
15. THE CONTRACTOR SHALL CONFINE SOIL DISTURBANCE ACTIVITY TO THE AREAS CONTAINED WITHIN THE LIMITS OF THE PROJECT SITE, EXCEPT AS DIRECTED BY THE OWNER'S REPRESENTATIVE.

16. SOIL STABILIZATION METHODS SHALL BE UNDERTAKEN COINCIDENTALLY WITH ALL MAJOR SITE IMPROVEMENTS AND CONTINUE DURING THE ENTIRE CONSTRUCTION ACTIVITY PERIOD.

17. UPON COMPLETION OF FINAL GRADING, IF THE SEASON PREVENTS THE ESTABLISHMENT OF A PERMANENT COVER, THE DISTURBED AREA WILL BE TEMPORARILY SEEDED IN ACCORDANCE WITH THE CONTRACT SPECIFICATIONS.

18. PERMANENT VEGETATION TO BE SEEDED ON ALL EXPOSED AREAS WITH SEVEN (7) DAYS AFTER FINAL GRADING. MULCH TO BE USED AS NECESSARY FOR PROTECTION UNTIL SEEDING IS ESTABLISHED.

19. AT THE TIME WHEN THE SITE PREPARATION FOR PERMANENT VEGETATIVE STABILIZATION IS GOING TO BE ACCOMPLISHED, ANY SOIL THAT WILL NOT PROVIDE A SUITABLE ENVIRONMENT TO SUPPORT ADEQUATE VEGETATIVE GROUND COVER SHALL BE REMOVED OR TREATED IN SUCH A WAY THAT WILL COVER. IF THE REMOVAL OR TREATMENT OF THE SOIL WILL NOT PROVIDE SUITABLE CONDITIONS, NON-VEGETATIVE MEANS OF PERMANENT GROUND STABILIZATION SHALL BE EMPLOYED WITH ENGINEER'S APPROVAL.



- NOTES:
1. FILTER FABRIC SHALL HAVE AN EOS OF 40-85.

2. WOODEN FRAME SHALL BE CONSTRUCTED OF 2\" x 4\" CONSTRUCTION GRADE LUMBER.

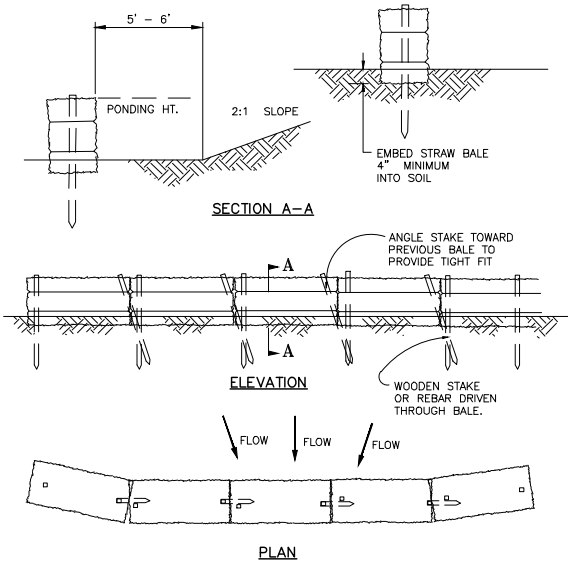
3. WIRE MESH ACROSS THROAT SHALL BE A CONTINUOUS PIECE HAVING A MINIMUM WIDTH OF 30 INCHES AND HAVING A LENGTH 4 FEET LONGER THAN THE CATCH BASIN THROAT. IT SHALL BE SHAPED AND SECURELY NAILED TO THE 2\" x 4\" WEIR.

4. THE WEIR SHALL BE SECURELY NAILED TO 2\" x 4\" SPACERS SPACED NO MORE THAN 6 FEET APART.

5. THE ASSEMBLY SHALL BE PLACED AGAINST THE INLET AND SECURED BY 2\" x 4\" ANCHORS 2 FEET LONG EXTENDING ACROSS THE TOP OF THE INLET AND HELD IN PLACE BY SANDBAGS OR OTHER WEIGHTS DESIGNATED BY THE OWNER'S REPRESENTATIVE.

EROSION AND SEDIMENT CONTROL FOR CURB INLET DETAIL

SCALE: NTS



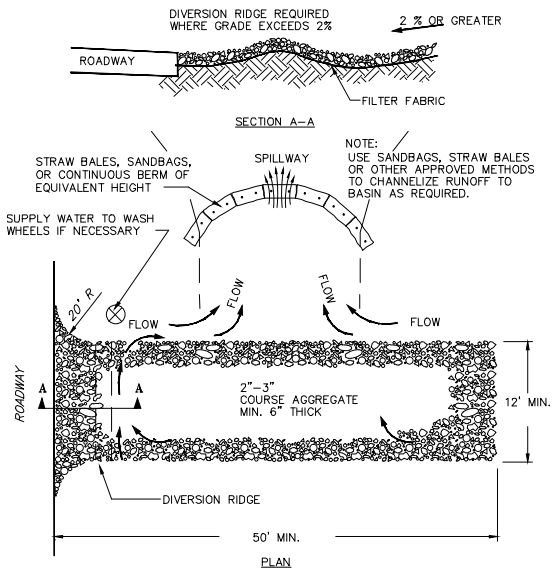
- NOTES:
1. THE STRAW BALES SHALL BE PLACED ON SLOPE CONTOUR.

2. BALES TO BE PLACED IN A ROW WITH THE ENDS TIGHTLY ABUTTING.

3. KEY IN BALES TO PREVENT EROSION OR FLOW UNDER BALES.

STRAW BALE DIKE DETAIL

SCALE: N.T.S.



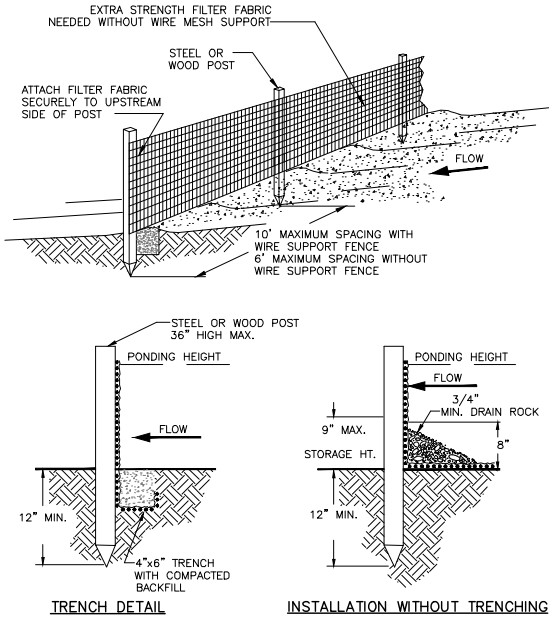
- NOTES:
1. THE ENTRANCE SHALL BE MAINTAINED IN A CONDITION THAT WILL PREVENT TRACKING OR FLOWING OF SEDIMENT ONTO PUBLIC RIGHT-OF-WAYS. THIS MAY REQUIRE TOP DRESSING, REPAIR AND/OR CLEANOUT OF ANY MEASURES USED TO TRAP SEDIMENT.

2. WHEN NECESSARY, WHEELS SHALL BE CLEANED PRIOR TO ENTRANCE ONTO PUBLIC RIGHT-OF-WAY.

3. WHEN WASHING IS REQUIRED, IT SHALL BE DONE ON AN AREA STABILIZED WITH CRUSHED STONE THAT DRAINS INTO AN APPROVED SEDIMENT TRAP OR SEDIMENT BASIN.

TEMPORARY CONSTRUCTION ENTRANCE

SCALE: N.T.S.

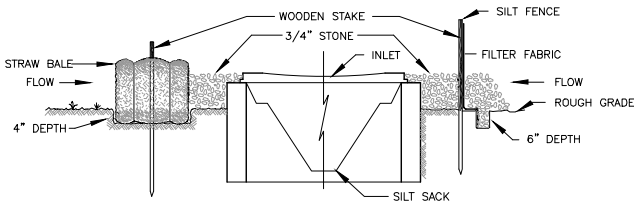


- NOTES:
1. SILT FENCE SHALL BE PLACED ON SLOPE CONTOURS TO MAXIMIZE PONDING EFFICIENCY.

2. INSPECT AND REPAIR FENCE AFTER EACH STORM EVENT AND REMOVE SEDIMENT WHEN NECESSARY. 9\"/>

SILT FENCE DETAIL

SCALE: N.T.S.



INSTALLATION NOTES

- SILT FENCE
1. EXCAVATE A 6 INCH x 6 INCH TRENCH, OFFSET APPROXIMATELY 2 FEET FROM THE INLET PERIMETER.

2. UNROLL A SECTION AT A TIME AND POSITION THE POSTS AGAINST THE BACK (DOWNSTREAM) WALL OF THE TRENCH (NET SIDE AWAY FROM DIRECTION OF FLOW).

3. DRIVE THE POST INTO THE GROUND UNTIL NETTING IS APPROXIMATELY 2 INCHES THE FROM THE TRENCH BOTTOM.

4. LAY THE TOE-IN FLAP OF FABRIC ONTO THE UNDISTURBED BOTTOM OF THE TRENCH, BACKFILL THE TRENCH AND TAMP THE SOIL. STEEPER SLOPES REQUIRE AN INTERCEPT TRENCH.

5. JOIN SECTIONS AS SHOWN ABOVE. SUPPLEMENT WITH GRAVEL, PILED AGAINST THE FENCE.

STRAW BALES

1. PLACE BALES OF STRAW WITH ENDS TIGHTLY ABUTTING OTHER BALES TO SURROUND THE INLET. WHERE SLOPE AND SPACE PERMIT, ESTABLISH THE LINE OF BALES 2 TO 10 FEET AWAY FROM THE INLET. ANCHOR BALES IN PLACE BY DRIVING REBAR OR 2\"/>

2. SEDIMENT SHALL BE REMOVED AND THE TRAP RESTORED TO ITS ORIGINAL DIMENSIONS WHEN THE SEDIMENT HAS ACCUMULATED TO 1/2 THE DESIGN DEPTH OF THE TRAP, REMOVED SEDIMENT SHALL BE DEPOSITED IN A SUITABLE AREA AND IN SUCH A MANNER THAT IT WILL NOT ERODE.

3. THE STRUCTURE SHALL BE INSPECTED AFTER EACH RAIN AND REPAIRS MADE AS NEEDED.

4. CONSTRUCTION OPERATIONS SHALL BE CARRIED OUT IN SUCH A MANNER THAT EROSION AND WATER POLLUTION SHALL BE MINIMIZED.

5. THE SEDIMENT TRAP SHALL BE REMOVED AND THE AREA STABILIZED WHEN THE REMAINING DRAINAGE AREA HAS BEEN PROPERLY STABILIZED.

STORMWATER GRATE INLET PROTECTION

SCALE: N.T.S.

SEPARATELY BOUND SPECIFICATIONS ARE PART OF THIS CONTRACT

Figure 4

PLOT SCALED: CE2415B-02-FORCEMAIN DESIGN (CE2415B-02-10-CN.dwg, Date: March 3, 2015, P: Joseph Bourza

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T: (914) 721-8900

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PROJECT NAME:  
NCDPW CONTRACT NO. 3P311-09S  
FORCE MAIN CONSTRUCTION

PROJECT LOCATION:  
VILLAGE OF HEMPSTEAD, NEW YORK  
FINAL REVIEW SUBMISSION

TITLE:  
SOIL EROSION AND SEDIMENT CONTROL NOTES AND DETAILS

DISCIPLINE:  
CIVIL

PROJECT ENGINEER:  
JDB

DESIGNED BY:  
JDB

DRAWN BY:  
JDB

CHECKED BY:  
MR/MW

PROJECT NO.  
CE2415B-02

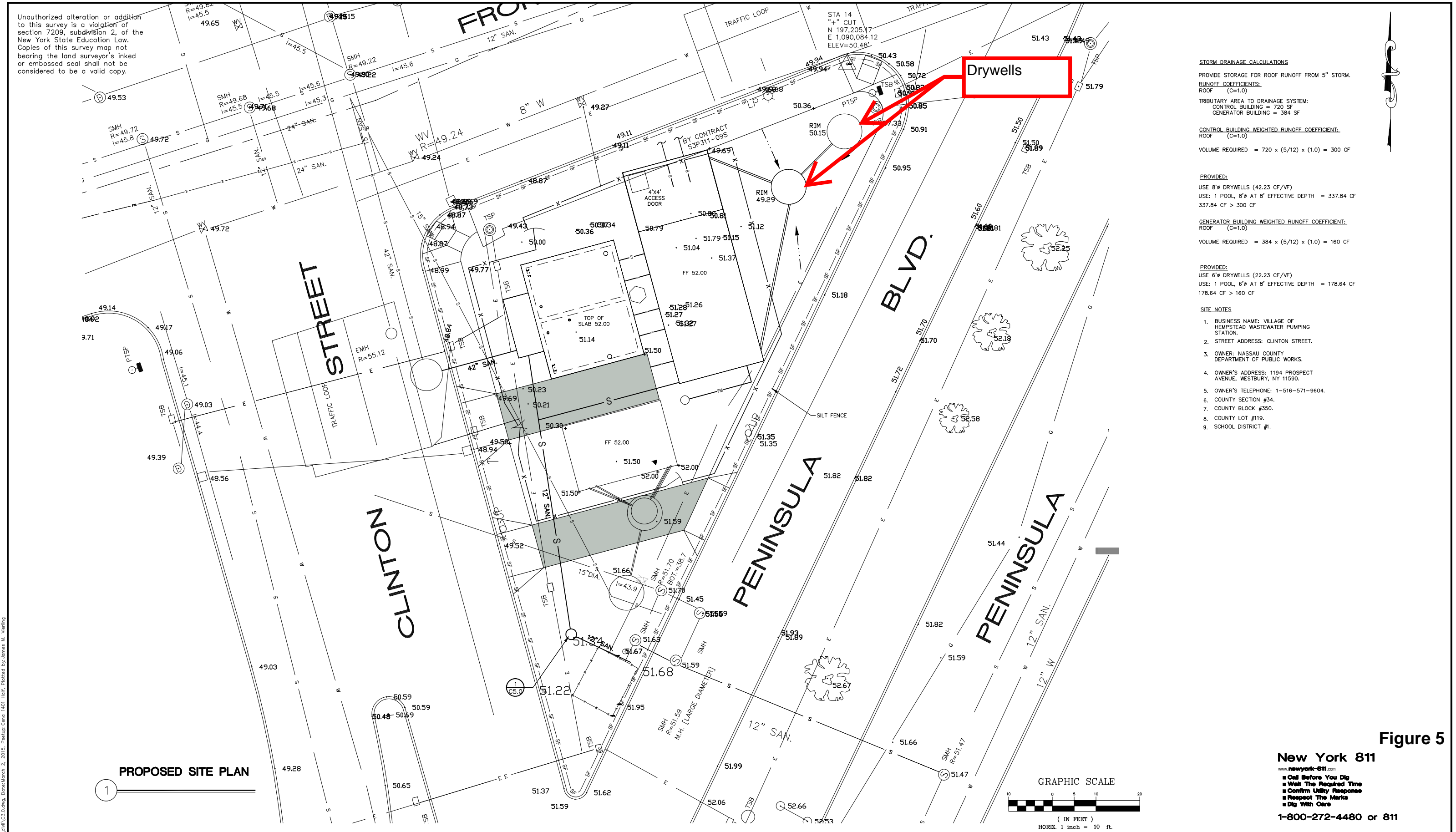
JOB NO.  
CE2415B-02

DATE:  
FEB. 2015

SCALE:  
AS SHOWN

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G-3

DRAWING  
4 of 34



**STORM DRAINAGE CALCULATIONS**

PROVIDE STORAGE FOR ROOF RUNOFF FROM 5" STORM.

**RUNOFF COEFFICIENTS:**  
ROOF (C=1.0)

TRIBUTARY AREA TO DRAINAGE SYSTEM:  
CONTROL BUILDING = 720 SF  
GENERATOR BUILDING = 384 SF

**CONTROL BUILDING WEIGHTED RUNOFF COEFFICIENT:**  
ROOF (C=1.0)

VOLUME REQUIRED = 720 x (5/12) x (1.0) = 300 CF

**PROVIDED:**  
USE 8" DRYWELLS (42.23 CF/VF)  
USE: 1 POOL, 8" AT 8' EFFECTIVE DEPTH = 337.84 CF  
337.84 CF > 300 CF

**GENERATOR BUILDING WEIGHTED RUNOFF COEFFICIENT:**  
ROOF (C=1.0)

VOLUME REQUIRED = 384 x (5/12) x (1.0) = 160 CF

**PROVIDED:**  
USE 6" DRYWELLS (22.23 CF/VF)  
USE: 1 POOL, 6" AT 8' EFFECTIVE DEPTH = 178.64 CF  
178.64 CF > 160 CF

**SITE NOTES**

1. BUSINESS NAME: VILLAGE OF HEMPSTEAD WASTEWATER PUMPING STATION.
2. STREET ADDRESS: CLINTON STREET.
3. OWNER: NASSAU COUNTY DEPARTMENT OF PUBLIC WORKS.
4. OWNER'S ADDRESS: 1194 PROSPECT AVENUE, WESTBURY, NY 11590.
5. OWNER'S TELEPHONE: 1-516-571-9604.
6. COUNTY SECTION #34.
7. COUNTY BLOCK #350.
8. COUNTY LOT #119.
9. SCHOOL DISTRICT #1.



**Figure 5**

**New York 811**  
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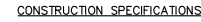
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- Wait The Required Time
- Confirm Utility Response
- Respect The Marks
- Dig With Care

**1-800-272-4480 or 811**

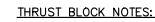
NO.	DATE	REVISION DESCRIPTION	INT.

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DOCUMENT IS A VIOLATION OF SECTION 7209 OF THE NEW YORK STATE EDUCATION LAW.	 <b>CAMERON ENGINEERING &amp; ASSOCIATES, LLP</b> 100 Sunnyside Boulevard, Suite 100, Woodbury, NY 11797 www.cameronengineering.com T: (516) 827-4900 CONTRACT #11	PROJECT NAME: <b>NCDPW PROJECT NO. S3P311-09G, HEMPSTEAD WASTEWATER PUMPING STATION</b>	TITLE: <b>HEMPSTEAD PUMPING STATION GRADING AND LANDSCAPING PLAN</b>	PROJECT ENGINEER: SCH	PROJECT NO. S3P311-09G	DRAWING NO. C3.0
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				CHECKED BY: -	DATE: MAR. 2015	
					SCALE: AS SHOWN	





- 1 CURB DROP INLET PROTECTION** SCALE: N.T.S.



- 2 THRUST BLOCK DETAIL**  
SCALE: N.T.S.

THRUST BLOCK BEARING AREA

NOTES:

- 6 PIPE TRENCH**  
SCALE: N.T.S.



- 3 STEEL BOLLARD - 6" DIAMETER  
SCALE: N.T.S.



- 4 **NCDPW TYPE "C" CONCRETE CURB**  
SCALE: N.T.S.



- 7 DRYWELL WITH SLAB**  
SCALE: N.T.S.

## Drywell

### Figure 6

[illegible]

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PROJECT NAME:  
NCDPW PROJECT NO. S3P311-09G,  
HEMPSTEAD WASTEWATER PUMPING  
STATION

PROJECT LOCATION:  
VILLAGE OF HEMPSTEAD, NEW YORK

TITLE: HEMPSTEAD PUMPING STATION  
SITE DETAILS

DISCIPLINE:  
**CIVIL**

FINAL REVIEW SUBMISSION

PROJECT ENGINEER:	PROJECT NO.
SCH	S3P311-09G
DESIGNED BY:	JOB NO.
SCH	CENA 14-01
DRAWN BY:	DATE:
JIN	MAR. 2015
CHECKED BY:	SCALE:
	AS SHOWN

DRAWING NO.

C4.0

DRAWING

8 of 63

Plot Scale: 1 inch = 10 feet. Drawing: 6 of 63. Project: NCDPW Project No. S3P311-09G, Hempstead Wastewater Pumping Station. Date: March 2, 2015. Plotted by: James M. Verling.

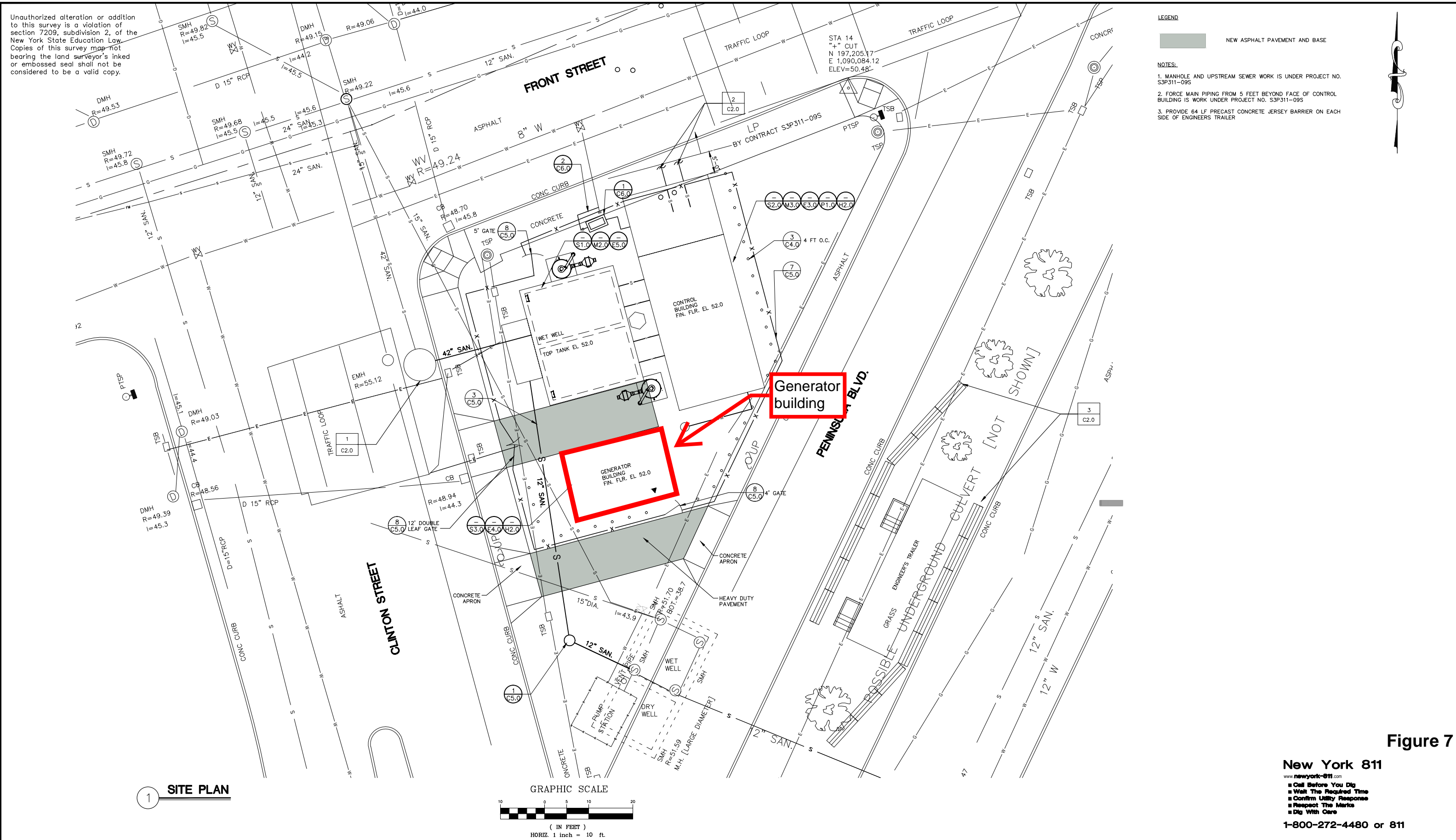
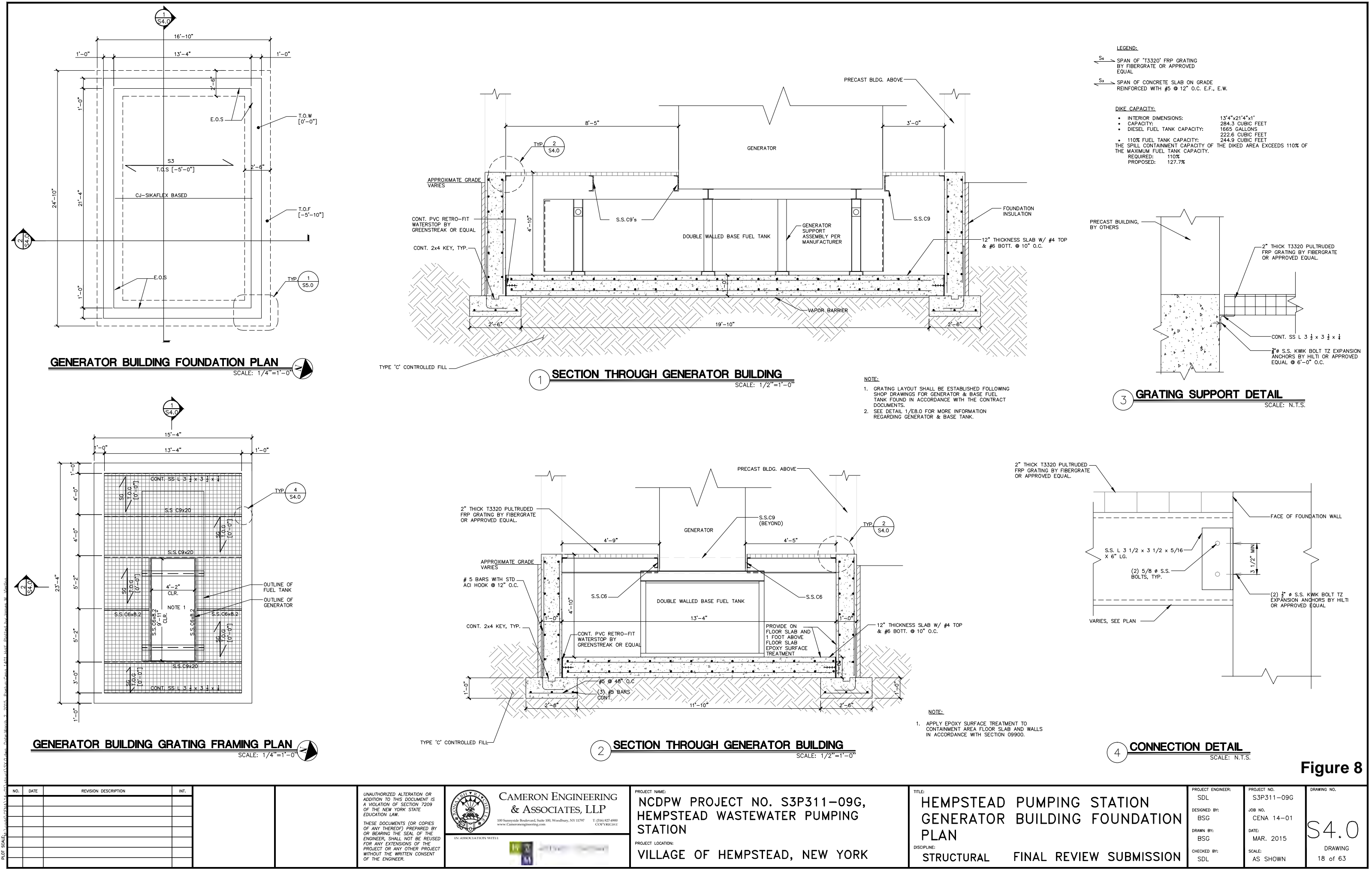


Figure 7

**New York 811**  
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■ Wait The Required Time  
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**1-800-272-4480 or 811**

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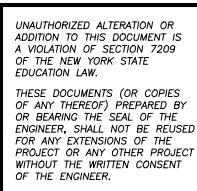


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IN ASSOCIATION WITH:

PROJECT NAME:  
**NCDPW PROJECT NO. S3P311-09G, HEMPSTEAD WASTEWATER PUMPING STATION**

PROJECT LOCATION:  
**VILLAGE OF HEMPSTEAD, NEW YORK**

TITLE:  
**HEMPSTEAD PUMPING STATION GENERATOR BUILDING FOUNDATION PLAN**

DISCIPLINE:  
**STRUCTURAL FINAL REVIEW SUBMISSION**

PROJECT ENGINEER: SDL	PROJECT NO. S3P311-09G
DESIGNED BY: BSG	JOB NO. CENA 14-01
DRAWN BY: BSG	DATE: MAR. 2015
CHECKED BY: SDL	SCALE: AS SHOWN

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**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**

REGION 2

290 BROADWAY

NEW YORK, NY 10007-1866

**APR 17 2015**

Tom King  
Assistant General Counsel  
Governor's Office of Storm Recovery  
99 Washington Avenue Suite 1224  
Albany, New York 12260

Dear Mr. King:

This is in response to your April 14, 2015 electronic messages requesting a Sole Source Aquifer review for four projects to be funded with HUD CDBG-DR grants. The projects involved are:

1. Belgrave Water Pollution Control District (WPCD) Outfall Project, located in the town of North Hempstead, Nassau County, New York.
2. Bergen Point Wastewater Treatment Plant Outfall Replacement Project, located in West Babylon, Suffolk County, New York.
3. Rockland County Sewer District No. 1 Generator & Fuel Oil Storage Tank Replacement and Upgrade Project, located in Rockland County, New York.
4. Barnes Avenue Sanitary Sewage Flow Diversion Project, located in the Town of Hempstead, Nassau County, New York.

Since these projects are also being funded by the New York SRF, as well as CDBG-DR, the State is responsible for conducting a Sole Source Aquifer (SSA) review that satisfies the requirements of Section 1424(e) of the Safe Drinking Water Act as part of its EPA-approved State Environmental Review Program. Consequently, EPA does not need to conduct independent SSA reviews for these projects. If the State concludes that any of these projects might have a negative impact on a sole source aquifer, then the State would refer the project to EPA.

In addition, EPA wants to make you aware that there are two new rules for new source engines. One of these rules applies to the proposed new generators for the Rockland County project. Please be advised that this and any proposed projects which include new generators should address these new rules as appropriate. In order to learn about and comply with these rules, please visit: <http://www.epa.gov/region1/rice/>.

If you have any questions concerning this matter or would like additional information, please feel free to contact Maria R. Clark of my staff at (212) 637-3789.

Sincerely yours,

A handwritten signature in blue ink, reading "Grace Musumeci". The signature is fluid and cursive, with a long horizontal stroke at the end.

Grace Musumeci, Chief  
Environmental Review Section

## **Appendix B – Supplemental Technical Information**

## **Floodplain Management Plan**



# **Floodplain Management Plan**

**Governor's Office of Storm Recovery**

**U.S. Department of Housing and Urban Development**

**Community Development Block Grant – Disaster Recovery**

**Barnes Avenue Sanitary Sewage Flow Diversion Project  
Village of Hempstead, NY**

Nassau County, New York

Effective Date: April 28, 2015

## **Executive Order 11988 – Floodplain Management**

### **Governor's Office of Storm Recovery U.S. Department of Housing and Urban Development Community Development Block Grant – Disaster Recovery**

#### **Barnes Avenue Sanitary Sewage Flow Diversion Project Village of Hempstead, NY**

**Nassau County, New York  
Effective Date: April 28, 2015**

This Floodplain Management Plan meets the requirements of 24 CFR Part 55.20 and Executive Order 11988—Floodplain Management—for the Barnes Avenue Sanitary Sewage Flow Diversion Project (Project) in the Village of Hempstead, Nassau County, NY. This Floodplain Management Plan documents the eight-step decision making for the Project and pertains to activities within the Special Flood Hazard Area (SFHA) as defined by the Federal Emergency Management Agency (FEMA), or its successors, pursuant to the National Flood Insurance Program (NFIP), or a successor program, whether advisory, preliminary, or final.

#### **Description of Proposed Program Activities**

The U.S. Department of Housing and Urban Development (HUD) is responsible for administration of the CDBG-DR program pursuant to the Disaster Relief Appropriations Act of 2013. The CDBG-DR program is designed to address the needs of New York State (NYS) communities devastated by Superstorm Sandy. To date, this funding has been disbursed in three allocations. On Tuesday, March 5, 2013, HUD published Federal Register Notice 78 Fed. Reg. 14329, which established the requirements and processes for the first \$1.71 billion in federal CDBG-DR aid appropriated by the United States Congress and allocated to NYS for disaster relief. On November 18, 2013, HUD issued a second allocation of \$2.097 billion to NYS under Federal Register Notice 78 Fed. Reg. 69104. On October 16, 2014, HUD issued the third and final allocation of \$600 million to NYS under Federal Register Notice 79 Fed. Reg. 62194.

The Governor's Office of Storm Recovery (GOSR) is conducting an evaluation as required by Executive Order 11988 in accordance with HUD regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that Project activity in the floodplain would have on the human environment.

Funding for the Project will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the HUD CDBG-DR program.

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Place in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. A study commissioned by Nassau County has determined that the most effective way to eliminate the occurrence of SSOs at Barnes Avenue is to reduce the flow in the sewer system upstream of the affected area. Flow can be reduced by diverting wastewater generated

upstream in the Village of Hempstead to a portion of the sewer system with adequate capacity for conveyance and treatment. The proposed redirection of wastewater flow would eliminate the environmental impacts associated with SSO events and improve the resiliency of the wastewater conveyance system.

Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The flow diversion Project addresses both the physical vulnerabilities and capacity limitation in the existing sewer system.

The Project proposes construction of a new Flow Diversion Pumping Station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP. Cedar Creek WWTP has sufficient capacity to treat the redirected flow. In addition to eliminating SSOs in the Barnes Avenue area and improving wastewater system resiliency, the Project would increase the capacity of the sewer system upstream in the Village of Hempstead to a level sufficient to accommodate potential future development.

### **Executive Order 11988 & 24 CFR Part 55**

Under 24 CFR Part 55.20, an eight-step decision making process must be completed for proposed actions taking place in a floodplain. 24 CFR Part 55.20 implements Executive Order 11988—Floodplain Management. The order requires federal agencies (or a state agency implementing a federal funding program) to reduce the loss of life and property caused by floods, minimize impacts of floods on human safety, health, and welfare, and preserve the natural and beneficial functions of floodplains. Under this order, federal agencies should first look at avoiding all actions in or adversely affecting floodplains unless no practicable alternatives exist. If no practicable alternatives exist, then federal agencies must evaluate the potential effects of the proposed action.

In addition, federal agencies are required to demonstrate that consideration of all practicable alternatives has resulted in the reduction or elimination of the long- and short-term adverse impacts associated with occupancy and modifications of the floodplain. This eight-step process includes assessing all practicable alternatives and incorporating public review.

Projects located within the SFHA are subject to Executive Order 11988. Information on where SFHAs are located is available on Flood Insurance Rate Maps (FIRMs) published by FEMA. FEMA uses engineering studies to determine the delineation of these areas or zones subject to flooding. The relevant data source for the SFHA is the latest issued FEMA data or guidance, which includes advisory data, such as Advisory Base Flood Elevations (ABFEs) or preliminary and final FIRMs.

The SFHA is the area that would be inundated by a 100-year flood: an area that has a one percent or greater chance of experiencing a flood in any single year. SFHAs are shown on FIRMs as shaded areas labeled with the letter “A” or “V”.

- “V” zones are coastal flood hazard zones subject to wave run-up in addition to storm surge.
- “A” zones include all other special flood hazard areas.
- “VE” zones, “AE” zones, “V” zones, or “A” zones followed by a number are areas with specific flood elevations, known as Base Flood Elevations (BFE).
- A zone with the letter “A” or “V” by itself is an appropriately studied flood hazard area without a specific flood elevation.
- Within an “AE” zone or a numbered “A” zone, there may be an area known as the “regulatory floodway,” which is the channel of a river and adjacent land areas which must be reserved to discharge a 100-year flood without causing a rise in flood elevations.

### **24 CFR Part 55.1 (c)**

Under 24 CFR Part 55.1 (c), except with respect to actions listed in Part 55.12(c), no HUD financial assistance (including mortgage insurance) may be approved after May 23, 1994 with respect to:

- (1) Any action, other than a functionally dependent use, located in a floodway;
- (2) Any critical action located in a coastal high hazard area (V zone) (a “critical action” is an action such as storage of volatile materials, irreplaceable record storage, or construction of a hospital or nursing home); or
- (3) Any non-critical action located in a coastal high hazard area, unless the action is designed for location in a coastal high hazard area or is a functionally dependent use and complies with the construction standards outlined in HUD Regulations 24 CFR Part 55 (c)(3).

### **24 CFR Parts 55.11 & 55.20**

Under 24 CFR Parts 55.11 (including Table 1) and 55.20, non-critical actions are allowed in A or V zones only if the actions are reviewed in accordance with the floodplain management eight-step decision making process (eight-step process) outlined in 24 CFR Part 55.20. The eight-step process was conducted for the Barnes Avenue Sanitary Sewage Flow Diversion Project and is detailed below.

### **24 CFR Part 55.20 Eight-Step Process**

#### **Step One: Determine whether the proposed action is located in a 100-year floodplain (or a 500-year floodplain for a Critical Action).**

The geographic scope for the Barnes Avenue Sanitary Sewage Flow Diversion Project is in the jurisdictional area of Nassau County, covering 4.2 acres, of which 0.02 acres are located in FEMA Zone “A.”

The proposed Project location and activities are:

- Weekes Park Pumping Station: construction of a new Flow Diversion Pumping Station, adjacent to the existing Pumping Station at the intersection of Clinton and Front Streets in the Village of Hempstead.

- Newmans Court Pumping Station: improvements to the existing Pumping Station on Newmans Court in the Village of Hempstead.
- Force main, Flow Diversion Pumping Station: installation of new force main to convey wastewater from the new Flow Diversion Pumping Station to existing gravity sewer interceptor located east of the intersection of Jerusalem Avenue and Meadowbrook Parkway. Force main would be installed subsurface beneath Front Street between Clinton Street and Ingraham Boulevard, Ingraham Boulevard between Front Street and Jerusalem Avenue, and Jerusalem Avenue between Ingraham Boulevard and North Jerusalem Road. In the location in which Jerusalem Avenue crosses Meadowbrook Parkway, the force main would be installed by horizontal directional drill (HDD) or pipe jack. In all other locations, force main would be installed via open cut trench.
- Force main, Newmans Court Pumping Station: installation of new force main to transfer additional wastewater from Newmans Court Pumping Station to the Flow Diversion Pumping Station. Force main would be installed subsurface beneath South Franklin Street between Newmans Court and Front Street, and Front Street between South Franklin Street and Clinton Street. Force main to be installed via open cut trench.

Within the Project's geographic scope as outlined above, the floodplain (FEMA Zone "A") only intersects the Project location near the intersection of Jerusalem Avenue and Meadowbrook State Parkway. See **EXHIBIT 1** for a map of the project location and FEMA floodplain.

**Step Two: Notify the public at the earliest possible time of a proposal to consider an action in a floodplain (or in the 500-year floodplain for a Critical Action), and involve the affected and interested public in the decision making process.**

Because a portion of the Project activities would be located in the floodplain, GOSR must publish an early notice that allows the public an opportunity to provide input into the decision to provide funding for the Project activities in this area.

Once the early public notice and comment period is complete, GOSR will assess, consider, and respond to the comments received individually and collectively for the project file, then proceed to Step Three.

A 15-day "Early Notice and Public Explanation of a Proposed Activity in a 100-Year Floodplain" was published in Newsday Nassau Edition, on March 23, 2015. The 15-day period expired on April 7, 2015. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on March 23, 2015: U.S. Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), U.S. Department of Homeland Security (DHS), U.S. Fish and Wildlife Service (FWS); National Park Service (NPS); National Oceanic and Atmospheric Administration (NOAA); NOAA National Marine Fisheries Service (NMFS); U.S. Army Corps of Engineers (USACE); NYS Department Environmental Conservation; the NYS Office of Parks, Recreation and Historic Preservation; NYS Department of Transportation; NYS Office of Emergency Management, and the towns and villages within Nassau County. The notice was also sent to the Town of Hempstead and the office of the Nassau County Executive (see **EXHIBIT 2** for the notice).

GOSR received **3** public comments on this notice, two comments in support of the proposed project and the third comment not applicable to this project. See **EXHIBIT 4** for the comments received.

### **Step Three: Identify and evaluate practicable alternatives to locating the proposed action in a floodplain (or the 500-year floodplain for a Critical Action).**

After a consideration of the following alternatives and public comments received, Nassau County and GOSR have determined the best practicable alternative is the Proposed Action. The alternative actions considered are as follows: No Action, Alternative Force Main Routings, Parsonage Creek Siphon, Peak Flow Pump Station, Parallel Gravity Line, Storage, Pump Station at Barnes Avenue, and Removal of Manhole at Barnes Avenue.

#### No Action Alternative

A No Action alternative is not proposed as it does not adequately achieve the goal of promoting a safe and healthy living environment for residents of the Barnes Avenue area. Under the No Action alternative, the identified conveyance and treatment capacity constraints within the sewer system would not be addressed. SSO events would continue to occur in the Barnes Avenue area and the sewer system would continue to be vulnerable in future storm events. The No Action alternative would result in continued negative environmental and health impacts in the area.

#### Alternative Force Main Routings

Under the proposed alternative, there is a recommended route for the force main required to convey the additional wastewater flow. The following three (3) alternative routes were considered for the force main piping from the Flow Diversion Pumping Station:

- Route 1: Force main would leave the new Flow Diversion Pumping Station onto Front Street (Route 102). Once on Front Street, it would run approximately 13,000 linear feet east to Merrick Avenue, where it would terminate at a gravity sewer interceptor that runs south with the discharge of wastewater at the Cedar Creek Sewage Treatment Plant (STP) for proper treatment. Crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe underneath the parkway.
- Route 2: Force main would leave the new Flow Diversion Pumping Station and head southwest on Peninsula Boulevard and then south onto Henry Street to Jerusalem Avenue. The force main would continue east on Jerusalem Avenue and cross under the Meadowbrook Parkway to a manhole located on the eastern side with discharge to an existing 84-inch diameter gravity sewer interceptor to convey the wastewater to the Cedar Creek STP for proper treatment. Crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe underneath the parkway.
- Route 3: In this alternative, the force main would leave the new Flow Diversion Pumping Station and head east along Front Street (Route 102) to the intersection of Ingraham Boulevard. The force main would turn south onto Ingraham Boulevard to Jerusalem Avenue and then east on Jerusalem Avenue and cross under the Meadowbrook Parkway to a manhole located on the eastern side with discharge to an existing 84-inch diameter gravity sewer interceptor to convey the wastewater to the Cedar Creek STP for proper treatment. As identified in the Route 2 alternative, crossing the Meadowbrook Parkway will require a horizontal directional drill (HDD) or pipe jack of the force main pipe beneath the parkway.

Route 1 was eliminated because the interceptor located at Front Street and Merrick Avenue is a smaller diameter than the interceptor located at Jerusalem Avenue and Meadowbrook Parkway (terminus of Routes 2 and 3). As a result, Route 1 would not achieve as great a capacity improvement as the other routes. Route 2 was eliminated due to the additional impacts to traffic and utilities associated with force main installation along Henry Street as compared to Ingraham



Boulevard. Route 3 was selected as the recommended route for the force main piping. All alternative routes would also require work in the floodplain.

#### Parsonage Creek Siphon

The Parsonage Creek Siphon, which conveys wastewater flow under Parsonage Creek in Baldwin, was identified as a point of capacity constriction within the local sewer collection system. The limited hydraulic performance of the siphon may be due to deposits of materials within the siphon and could potentially be improved by regular maintenance and flushing. Work is proposed under a separate project to remedy the hydraulic limitations at the Parsonage Creek Siphon. Though this will likely alleviate one point of hydraulic constriction within the sewer collection system, there are identified capacity deficiencies in the Oceanside sewer collection system, immediately downstream of the Parsonage Creek Siphon. Any increase in flow facilitated by improvements to the siphon would only accelerate surcharging in the Oceanside system, which would in turn slow flow through the siphon and subsequently result in surcharging and SSOs upstream at Barnes Avenue. This alternative would also require work within the floodplain.

#### Peak Flow Pump Station

A peak flow pump station, which would receive flow only during high flow events, was evaluated. The pump station would transfer flow from Barnes Avenue beneath Parsonage Creek to Oceanside, just downstream in the sewer system, alleviating the hydraulic constriction observed at Parsonage Creek. This alternative would not eliminate SSO events at Barnes Avenue, as the Oceanside sewer system would also be surcharged during any event in which the peak flow pump station is activated. Surcharging downstream would slow flow through the Parsonage Creek Siphon and continue to result in SSOs in the Barnes Avenue area. This alternative would also require work within the floodplain.

#### Parallel Gravity Line

In an effort to alleviate the observed capacity limitations in the Oceanside sewer system, an alternative including a parallel gravity line downstream of the Parsonage Creek Siphon was considered. The parallel line would be installed adjacent to an existing interceptor underneath Brower Avenue in Oceanside. Just as in the peak flow pump station alternative, this alternative serves to shift the location of surcharging downstream by improving capacity within a limited reach of the sewer system. Downstream surcharging would still occur and would ultimately translate to surcharging upstream as well. This alternative would not eliminate SSO events at Barnes Avenue. This alternative would also require work within the floodplain.

#### Storage

As capacity in the sewer system is limited only during peak flow events, one possible alternative is to store flow during peak events until system flow has subsided and the stored volume can be safely conveyed by the sewer system. Such an alternative would require a pumping station to transfer flow from the sewer lines into large storage tanks and chambers. A potential site was identified for location of a storage facility, but the amount of storage required for even a short period of time (one hour) is significant. Given the shallow depth to groundwater in the area and the large storage volume required, construction and operational costs were determined to be prohibitive, particularly considering the limited benefit received. This alternative would also require work within the floodplain.

#### Pump Station at Barnes Avenue

This alternative would construct a pump station in the Barnes Avenue area to connect residences to the sewer collection system, which, unlike the existing gravity connections, would prevent backflow into homes. Though residential backflow is a concern, the primary means of SSO events on Barnes Avenue is through overland flow of wastewater from external components of the sewer system, such as surcharged manholes. A review of local documentation and historical records indicates that there have been no known occurrences of backflow into residences. This alternative would not reduce the flow within the collection system or the potential for SSOs in the Barnes Avenue area. This alternative would also require work within the floodplain.

#### Removal of Manhole at Barnes Avenue

The manhole on Barnes Avenue and Third Place has been observed to be a common point of discharge during past SSO events. Under this alternative, the manhole would be removed and replaced with a section of pipe between the existing pipe segments. Though this would potentially reduce the occurrence of SSOs at Barnes Avenue, it would not address any of the causes of SSO events and would likely shift the point of SSO occurrence to another location. This alternative would also require work within the floodplain.

#### **Step Four: Identify the potential direct and indirect impacts associated with the occupancy or modification of the floodplain (or 500-year floodplain for a Critical Action).**

GOSR has evaluated the alternatives to the proposed Project activities in the floodplain, and has determined that the proposed activities must take place in the floodplain.

Given that the proposed Project components located within the floodplain will be located entirely underground and are not susceptible to damage from flooding, there are no direct or indirect impacts anticipated as a result of the Project activities.

Construction activities within the floodplain will be predominantly either HDD or pipe jacking, both of which take place underground and result in a minimum of disturbance and work within the floodplain. Potential impacts from construction activities would be temporary (less than one year) and mitigated through detailed construction staging and traffic plans developed in partnership with the community to minimize disturbance throughout the construction period. Additionally, all Project work areas, including those located in the floodplain, are previously disturbed areas. Work proposed as part of the Project will not disturb or modify the floodplain and appropriate state and federal permits will be obtained.

The proposed Project actions will have a beneficial outcome for the residents of the Barnes Avenue area in Baldwin. Implementation of the Project would eliminate the recurring environmental and health hazards associated with SSOs under existing conditions.

#### **Step Five: Where practicable, design or modify the proposed action to minimize the potential adverse impacts within the floodplain (including the 500-year floodplain for a Critical Action) and to restore and preserve its natural and beneficial values.**

As proposed, the Project activities within the floodplain employ minimally invasive technologies such as HDD or pipe jacking and would not disturb or modify the floodplain. This proposed strategy would preserve the existing floodplain and its natural and beneficial values.

Strict requirements for the disposal of debris generated during construction will be in place to prevent, to the extent possible, negative impacts to the floodplain. The handling and disposal of

demolition and construction debris, control of stormwater runoff, and noise impacts resulting from Project work would be in accordance with all local and state regulations.

The Project would also implement and maintain erosion and sedimentation control measures to prevent deposition of sediment and eroded soil in on-site and off-site wetlands and waters. Soil compaction would be controlled by minimizing activities in vegetated areas, including lawns. Best management practices (BMPs), such as silt fence and erosion prevention, may be implemented if required by permits or agency discretion. Work in areas of soils with high wind erosion potential may have to occur only during calm weather conditions or include additional watering and other dust suppression mitigation measures. Thorough planning, engineering review, and design, through the local permitting process, would minimize soil erosion and damage to the floodplain that could result from Project activities on sites with marginal soil properties.

**Step Six: Reevalue the proposed action to determine: (1) Whether it is still practicable in light of its exposure to flood hazards in the floodplain, the extent to which it will aggravate the current hazards to other floodplains, and its potential to disrupt floodplain values; and (2) Whether alternatives preliminarily rejected at Step Three are practicable in light of the information gained in Steps Four and Five.**

GOSR has reevaluated the proposed action and determined that the Barnes Avenue Sanitary Sewage Flow Diversion Project is still practicable in light of its exposure to flood hazards in the floodplain. As the only Project activity located within the floodplain is installation of subsurface force main through HDD or pipe jacking, the Project would not aggravate current hazards to the floodplain, nor will the Project disrupt floodplain values.

The project team will take the following steps to mitigate the effects of the Project on the floodplain and to preserve natural and beneficial properties of the floodplain:

- 1) Installation of force main in floodplain will be by either HDD or pipe jacking;
- 2) Site-specific hazard mitigation measures will be taken, including BMPs to reduce erosion and sedimentation, and proper disposal of debris and demolition and construction waste.

GOSR has also reconsidered the alternatives discussed in Step Three and determined the best practicable alternative is the proposed action. The alternative actions considered are as follows: No Action, Alternative Force Main Routings, Parsonage Creek Siphon, Peak Flow Pump Station, Parallel Gravity Line, Storage, Pump Station at Barnes Avenue, and Removal of Manhole at Barnes Avenue. These alternatives do not meet the goals of the Project, as they do not eliminate the occurrence of SSOs. Furthermore, all evaluated alternatives also require work in the floodplain; therefore there is no practicable alternative to locating the proposed action in the floodplain.

**Step Seven: If the reevaluation results in a determination that there is no practicable alternative to locating the proposal in the floodplain (or the 500-year floodplain for a Critical Action), publish a final notice.**

It is GOSR's determination that the preferred alternative is the proposed Barnes Avenue Sanitary Sewage Flow Diversion Project. The benefits of the Project would be to reduce the potential of SSOs at Barnes Avenue, reduce the flow from the Baldwin collection system and increase

available storage capacity, and allow for economic revitalization of the area to proceed, providing a long-term regional solution benefitting Baldwin, Hempstead, and East Rockaway.

A 7-day “Notice for Final Public Review of a Proposed Activity in a 100-Year Floodplain” was published in The Hempstead Beacon on April 17, 2015. The 7-day period expired on April 27, 2015. The notice targeted local residents, including those in the floodplain. The notice was also sent to the following state and federal agencies on April 17, 2015: U.S. Department of the Interior (DOI), U.S. Environmental Protection Agency (EPA), U.S. Department of Homeland Security (DHS), U.S. Fish and Wildlife Service (FWS); National Park Service (NPS); National Oceanic and Atmospheric Administration (NOAA); NOAA National Marine Fisheries Service (NMFS); U.S. Army Corps of Engineers (USACE); NYS Department Environmental Conservation; the NYS Office of Parks, Recreation and Historic Preservation; NYS Department of Transportation; and NYS Office of Emergency Management. The notice was also sent to the Town of Hempstead, the Village of Hempstead, the office of the Nassau County Executive, and the Office of the Nassau County Clerk. (see **EXHIBIT 3** for the notice).

GOSR received 0 public comments on this notice.

### **Step Eight: Implement the Action**

Step eight is implementation of the proposed action. GOSR will ensure that all mitigation measures prescribed in the steps above will be adhered to. Also, prior to project implementation, GOSR will conduct a National Environmental Policy Act (NEPA) review in accordance with 24 CFR Part 58 and a New York State Environmental Quality Review Act (SEQR) review in accordance with 6 NYCRR Part 617.

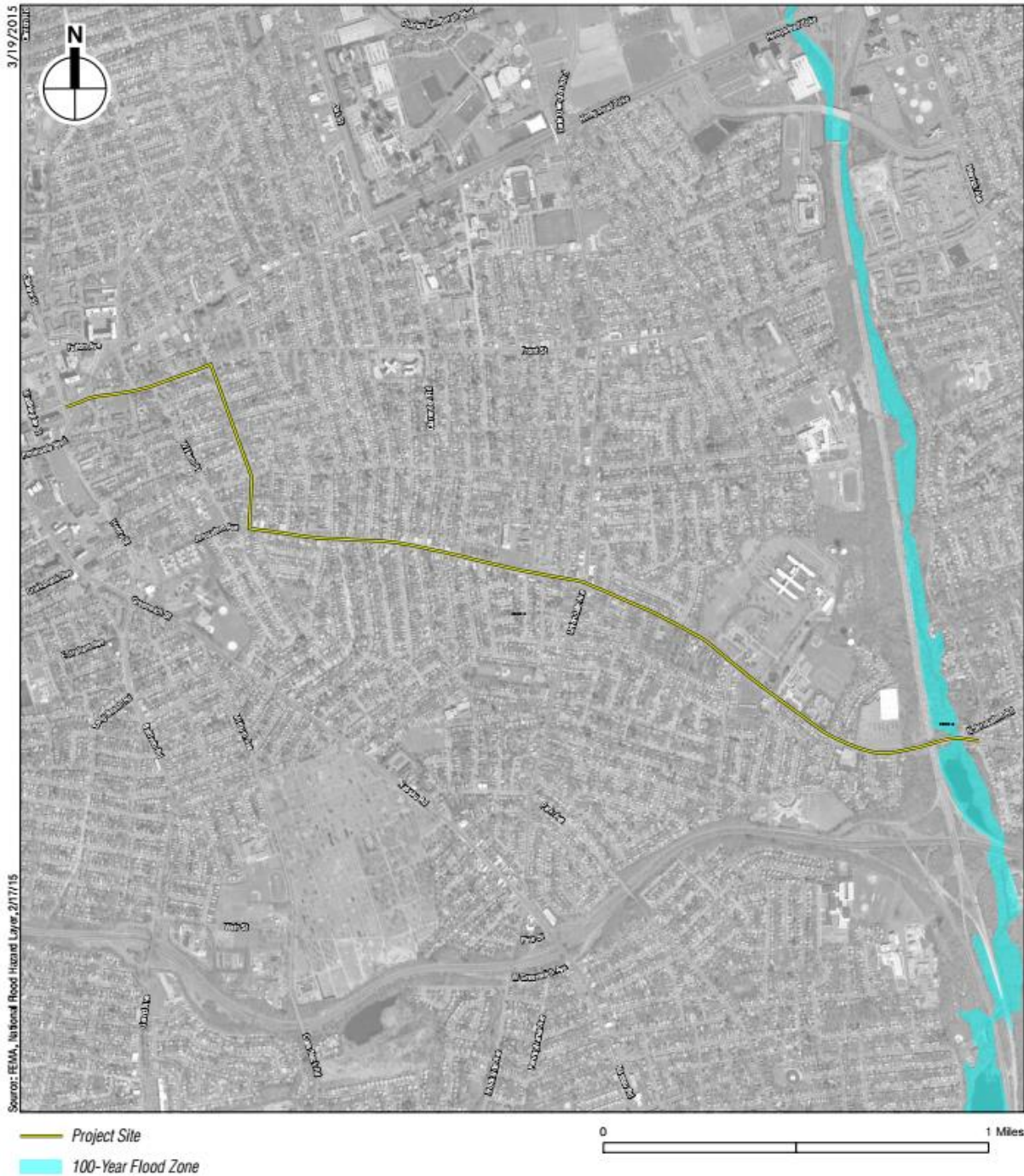
### **EXHIBIT 1 Project Location Floodplain Map**

### **EXHIBIT 2 Copy of Notice Transmitting Notice of Early Public Review and Proof of Publication**

### **EXHIBIT 3 Copy of Notice Transmitting Notice of Final Public Review and Proof of Publication**

### **EXHIBIT 4 Public Comments Received**

## EXHIBIT 1 Project Location Floodplain Map





**EXHIBIT 2 Copy of Notice Transmitting Notice of Early Public Review  
and Proof of Publication**

**EARLY NOTICE AND PUBLIC EXPLANATION OF  
A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN**

**BARNES AVENUE SANITARY SEWAGE FLOW DIVERSION PROJECT  
VILLAGE OF HEMPSTEAD, NY**

Thomas King, Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, NY 12260

**NOTIFICATION OF ACTIVITY IN A FLOODPLAIN**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR) is conducting an evaluation as required by Executive Order 11988 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment.

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The flow diversion project proposed herein addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment.

The project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP.

Funding for the project will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the HUD Community Development Block Grant – Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

A floodplains map based on the FEMA Base Flood Elevation Maps, has been prepared for this project and is available for review at <http://www.stormrecovery.ny.gov/environmental-docs>

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

#### **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the proposed action or a request for further information to Thomas King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12260; email: [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). All comments received by **April 7, 2015** will be considered.

Thomas King, Assistant General Counsel and Certifying Officer

**March 23, 2015**

# NEWSDAY AFFIDAVIT OF PUBLICATION

SKY ADVERTISING  
14 EAST 33RD STREET, 8TH FLOOR  
NEW YORK, NY 10016-5013

STATE OF NEW YORK)

Legal Notice No.

0021068172

:SS.:

COUNTY OF SUFFOLK)

R. Lopes of Newsday Media Group., Suffolk County, N.Y., being duly sworn, says that such person is, and at the time of publication of the annexed Notice was a duly authorized custodian of records of Newsday Media Group, the publisher of NEWSDAY, a newspaper published in the County of Suffolk, County of Nassau, County of Queens, and elsewhere in the State of New York and other places, and that the Notice of which the annexed is a true copy, was published in the following editions/counties of said newspaper on the following dates:

Monday

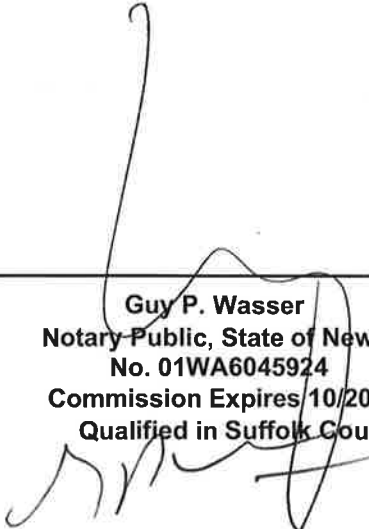
March 23, 2015

Nassau

**SWORN** to before me this  
24 Day of March, 2015.

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Guy P. Wasser  
Notary Public, State of New York  
No. 01WA6045924  
Commission Expires 10/20/2018  
Qualified in Suffolk County





# LEGAL NOTICES

**Legal Notice # 21063970**  
Notice of formation of DJI Land LLC, Articles of Organization filed with the Secretary of State of New York on November 21, 2014. Office location in Nassau County, New York. SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC at 1750 Plaza Ave, New Hyde Park, NY 11040. Purpose: any lawful purpose.

**Legal Notice # 21064071**  
Notice of formation of Property Professionals USA, LLC. Arts of Org filed with the Secretary of State of New York on 12/16/14. Office location in Nassau County. SSNY has been designated for service of process. SSNY shall mail copy of process to the LLC, 479 South Broadway Hicksville, NY 11801. Purpose: any lawful purpose.

**Legal Notice # 21065977**  
36 Eileen Way, LLC, Arts of Org, filed with SSNY on 01/29/15. Off. Loc: Nassau Co. SSNY design, as agt. upon whom process may be served. SSNY shall mail process to: Mark Grigas, c/o United Air Conditioning, 27-20 Skillman Ave, LIC, NY 11101. General Purposes.

**Legal Notice # 21065997**  
Global Creations LLC, Arts of Org, filed with SSNY on 02/26/15. Off. Loc: Nassau Co. SSNY design, as agt. upon whom process may be served. SSNY shall mail process to: The LLC, P.O. Box 3359, NY, NY 10018. General Purposes.

**Legal Notice # 21066074**  
1821 Grove Street LLC, Arts of Org, filed with SSNY on 1/20/15. Off. Loc: Nassau Co. SSNY design, as agt. upon whom process may be served. SSNY shall mail process to: The LLC, 1222nd St, Jericho, NY 11753. General Purposes.

**Legal 2106817201**

**Legal Notice # 21062454**  
LM SASS LLC, a domestic LLC, filed with the SSNY on 2/24/15. Office location: Nassau County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to The LLC, c/o Barbara R. Sass, 60 Astor Ln, Sands Point, NY 11050. General Purposes.

**Legal Notice # 21062481**  
OXFORD MECHANICAL LLC, a domestic LLC, filed with the SSNY on 2/10/15. Office location: Nassau County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to: The LLC, 182 Park Ave, Williston Park, NY 11596. General Purposes.

**Legal Notice # 21065951**  
SEALING PROPOSALS WILL BE PUBLICLY OPENED AND READ BY THE ASSISTANT SUPERINTENDENT FOR FINANCE & OPERATIONS OF THE BOARD OF EDUCATION, SEWANHAKA CENTRAL HIGH SCHOOL DISTRICT OF THE TOWNS OF HEMPSTEAD AND NORTH HEMPSTEAD AT THE CENTRAL ADMINISTRATIVE OFFICES, 77 LANDAU AVENUE, FLORHAM PARK, NY, 11001 FOR:

Automatic & Light Truck Parts  
Custodial Supplies  
General Office & School Supplies  
Uniforms for Custodial and Security  
April 16, 2015 @ 2:00 pm  
COPIES OF SPECIFICATIONS AND CONDITIONS MAY BE OBTAINED AT THE BUSINESS OFFICE, ADDRESS ABOVE  
ELEANOR MOORE  
DISTRICT CLERK

**Legal Notice # 21065877**  
A - NOTICE TO BIDDERS  
SEALED PROPOSALS WILL BE RECEIVED BY THE COMMISSIONER OF GENERAL SERVICES, c/o Division of Public Works, Town of Hempstead, Town Hall, Room 211, 100 Front St., Hempstead, New York, until 11:00 A.M. prevailing time on April 2, 2015 at which time they shall be publicly opened and read aloud and the contract awarded as soon thereafter as may be practicable for:

Storm Water Drain & Road Improvement  
Trunk Drive  
Chance Drive Area OceanSide, Town of Hempstead, Nassau County, New York  
PW # 22-15  
A - 1 A fee of \$100.00 (Check only) will be required for all bidders for a copy of the Proposed Contract Documents.  
A - 2 Each proposal must be accompanied by a Certified Check or Bid Bond payable to the Town of Hempstead for not less than 25% of the estimated amount of the bid.  
A - 3 Bid documents may be obtained in person ON-APRIL 1, 2015, AT 2:00 P.M. AT THE OFFICE OF THE COMMISSIONER OF GENERAL SERVICES, c/o DIVISION OF PUBLIC WORKS, TOWN HALL, ROOM 211, HEMPSTEAD, N.Y. AND MAY BE SENT AT THE SAME OF FICE.

A - 4 Federal Equal Opportunity and Labor Standards are enforceable for all work performed under this contract.  
A - 5 The Town of Hempstead reserves the right to reject any or all bids.  
Dated: March 23, 2015  
HEMPSTEAD, NEW YORK  
KATHLEEN P. MURRAY  
Nasrin G. Ahmad  
Town Clerk  
STEPHEN D'ESPOSITO  
Commissioner  
Department of General Services

**Legal Notice # 21068545**  
NOTICE TO BIDDERS  
SEALED BIDS will be received by the Department of Public Works of the Town of North Hempstead in the Town Board Room located on the second floor of the Town Hall, 220 Plandome Road, Manhasset, New York 11030 on Wednesday, April 8, 2015 at 10:30 a.m., at which time they will be publicly opened and read and the contract awarded as soon thereafter as practicable for:

ON-CALL SERVICES FOR MILLING, PAVING AND MISCELLANEOUS CONCRETE WORK ON VARIOUS TOWN ROADS

DPW PROJECT NO. 15-05  
Bids may be mailed or delivered to the Town Clerk, 200 Plandome Road, Manhasset, New York 11030, provided the Bid is actually received by the Town Clerk prior to the time of public opening or Bids must be delivered to the place of public opening (i.e., the Town Board Room) immediately prior to the time of public opening.  
All Bids must be sealed and submitted in the pre-marked envelope provided with the Bid Documents, or must be sealed and submitted in a package (envelope) MARKED IN THE SAME WAY as the pre-marked envelope provided with the Bid Documents.  
ALL BIDDERS MUST complete the required Contractor's Qualifications Statement and must provide a copy of the required Statement of Financial Conditions, even if a Bidder is currently executing work for the Town.  
The Bids shall be in accordance with the requirements of the Specifications, Contract Plans and terms of the proposed Contract.  
No bids shall be received unless made in writing on forms furnished, and unless accompanied by a Certified Check or Bid Bond made payable to the Town of North Hempstead for an amount not less than five (5%) percent of the Bid price.  
BIDDERS ARE HEREBY ADVISED THAT ALL BONDS AND INSURANCE DOCUMENTS SUBMITTED WILL BE VERIFIED FOR AUTHENTICITY BY DIRECT COMMUNICATION WITH THE SURETY/INSURANCE COMPANY.  
A BONDING AND INSURANCE COMPANIES MUST BE LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK.  
The Town reserves the right to reject any and all Bids, and to waive any informalities therein.

**Legal Notice # 21064582**  
Happiness Realty LLC, Arts of Org filed with SSNY on 02/15/15. Office Loc: Nassau County. SSNY designated as agt. upon whom process may be served. SSNY shall mail a copy of process to: The LLC, 800 W. 10th, Greenville, NC 11548. Purpose: to engage in any lawful act.

**Legal Notice # 21068495**  
NOTICE TO BIDDERS  
SEALED BIDS ARE REQUESTED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, NEW YORK AND THOSE PARTICIPATING IN THE CO-OP BIDDING- VENDORS SECTION UNDER ONLINE SERVICES AT WWW.NASSAUBOCES.ORG, OR AT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, GEORGE FARBER ADMINISTRATIVE CENTER, BUSINESS SERVICES DEPARTMENT, 71 CLINTON ROAD, GARDEN CITY, NEW YORK 11530 (516) 396-2240 UNTIL THE ABOVE DATE, AT WHICH TIME THEY WILL BE PUBLICLY OPENED.

BY ORDER OF: BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY  
Michael R. Perina  
Purchasing Agent

**Legal Notice # 21068545**  
NOTICE TO BIDDERS  
SEALED BIDS will be received by the Department of Public Works of the Town of North Hempstead in the Town Board Room located on the second floor of the Town Hall, 220 Plandome Road, Manhasset, New York 11030 on Wednesday, April 8, 2015 at 10:30 a.m., at which time they will be publicly opened and read and the contract awarded as soon thereafter as practicable for:

ON-CALL SERVICES FOR MILLING, PAVING AND MISCELLANEOUS CONCRETE WORK ON VARIOUS TOWN ROADS

DPW PROJECT NO. 15-05  
Bids may be mailed or delivered to the Town Clerk, 200 Plandome Road, Manhasset, New York 11030, provided the Bid is actually received by the Town Clerk prior to the time of public opening or Bids must be delivered to the place of public opening (i.e., the Town Board Room) immediately prior to the time of public opening.  
All Bids must be sealed and submitted in the pre-marked envelope provided with the Bid Documents, or must be sealed and submitted in a package (envelope) MARKED IN THE SAME WAY as the pre-marked envelope provided with the Bid Documents.  
ALL BIDDERS MUST complete the required Contractor's Qualifications Statement and must provide a copy of the required Statement of Financial Conditions, even if a Bidder is currently executing work for the Town.  
The Bids shall be in accordance with the requirements of the Specifications, Contract Plans and terms of the proposed Contract.  
No bids shall be received unless made in writing on forms furnished, and unless accompanied by a Certified Check or Bid Bond made payable to the Town of North Hempstead for an amount not less than five (5%) percent of the Bid price.  
BIDDERS ARE HEREBY ADVISED THAT ALL BONDS AND INSURANCE DOCUMENTS SUBMITTED WILL BE VERIFIED FOR AUTHENTICITY BY DIRECT COMMUNICATION WITH THE SURETY/INSURANCE COMPANY.  
A BONDING AND INSURANCE COMPANIES MUST BE LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK.  
The Town reserves the right to reject any and all Bids, and to waive any informalities therein.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR., TOWN CLERK  
PAUL DIMARIA, P.E., COMMISSIONER PUBLIC WORKS

**Legal Notice # 21064022**  
Amirani Equities LLC, Arts of Org, filed with SSNY on 09/18/08. Off. Loc: Nassau Co. SSNY design, as agt. upon whom process may be served. The latest date to dissolve is 12/31/2018. SSNY shall mail process to: The LLC, 1000, Greenville, Dr., Great Neck, NY 11024. General Purposes.

**Legal Notice # 21068517**  
NOTICE TO BIDDERS  
SEALED BIDS ARE REQUESTED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, NEW YORK AND THOSE PARTICIPATING IN THE CO-OP BIDDING- VENDORS SECTION UNDER ONLINE SERVICES AT WWW.NASSAUBOCES.ORG, OR AT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, GEORGE FARBER ADMINISTRATIVE CENTER, BUSINESS SERVICES DEPARTMENT, 71 CLINTON ROAD, GARDEN CITY, NEW YORK 11530 (516) 396-2240 UNTIL THE ABOVE DATE, AT WHICH TIME THEY WILL BE PUBLICLY OPENED.

BY ORDER OF: BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY  
Michael R. Perina  
Purchasing Agent

**Legal Notice # 21068545**  
NOTICE TO BIDDERS  
SEALED BIDS will be received by the Department of Public Works of the Town of North Hempstead in the Town Board Room located on the second floor of the Town Hall, 220 Plandome Road, Manhasset, New York 11030 on Wednesday, April 8, 2015 at 10:30 a.m., at which time they will be publicly opened and read and the contract awarded as soon thereafter as practicable for:

ON-CALL SERVICES FOR MILLING, PAVING AND MISCELLANEOUS CONCRETE WORK ON VARIOUS TOWN ROADS

DPW PROJECT NO. 15-02  
Bids may be mailed or delivered to the Town Clerk, 200 Plandome Road, Manhasset, New York 11030, provided the Bid is actually received by the Town Clerk prior to the time of public opening or Bids must be delivered to the place of public opening (i.e., the Town Board Room) immediately prior to the time of public opening.  
All Bids must be sealed and submitted in the pre-marked envelope provided with the Bid Documents, or must be sealed and submitted in a package (envelope) MARKED IN THE SAME WAY as the pre-marked envelope provided with the Bid Documents.  
ALL BIDDERS MUST complete the required Contractor's Qualifications Statement and must provide a copy of the required Statement of Financial Conditions, even if a Bidder is currently executing work for the Town.  
The Bids shall be in accordance with the requirements of the Specifications, Contract Plans and terms of the proposed Contract.  
No bids shall be received unless made in writing on forms furnished, and unless accompanied by a Certified Check or Bid Bond made payable to the Town of North Hempstead for an amount not less than five (5%) percent of the Bid price.  
BIDDERS ARE HEREBY ADVISED THAT ALL BONDS AND INSURANCE DOCUMENTS SUBMITTED WILL BE VERIFIED FOR AUTHENTICITY BY DIRECT COMMUNICATION WITH THE SURETY/INSURANCE COMPANY.  
A BONDING AND INSURANCE COMPANIES MUST BE LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK.  
The Town reserves the right to reject any and all Bids, and to waive any informalities therein.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR., TOWN CLERK  
PAUL DIMARIA, P.E., COMMISSIONER PUBLIC WORKS

**Legal Notice # 21066005**  
Carlini International Consulting Engineer PLLC, Arts of Org, filed with SSNY on 02/20/15. Off. Loc: Nassau Co. SSNY design, as agt. upon whom process may be served. SSNY shall mail process to: The LLC, 30 Park West, New Hyde Park, NY 11040. Purpose: Engineering.

**Legal Notice # 21068515**  
NOTICE TO BIDDERS  
SEALED BIDS ARE REQUESTED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, NEW YORK AND THOSE PARTICIPATING IN THE CO-OP BIDDING- VENDORS SECTION UNDER ONLINE SERVICES AT WWW.NASSAUBOCES.ORG, OR AT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, GEORGE FARBER ADMINISTRATIVE CENTER, BUSINESS SERVICES DEPARTMENT, 71 CLINTON ROAD, GARDEN CITY, NEW YORK 11530 (516) 396-2240 UNTIL THE ABOVE DATE, AT WHICH TIME THEY WILL BE PUBLICLY OPENED.

BY ORDER OF: BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY  
Michael R. R. Perina  
Purchasing Agent

**Legal Notice # 21068473**  
NOTICE TO BIDDERS  
SEALED BIDS will be received by the Department of Public Works of the Town of North Hempstead in the Town Board Room located on the second floor of the Town Hall, 220 Plandome Road, Manhasset, New York 11030 on Wednesday, April 8, 2015 at 10:30 a.m., at which time they will be publicly opened and read and the contract awarded as soon thereafter as practicable for:

ON-CALL SERVICES FOR MILLING, PAVING AND MISCELLANEOUS CONCRETE WORK ON VARIOUS TOWN ROADS

DPW PROJECT NO. 14-02  
Bids may be mailed or delivered to the Town Clerk, 200 Plandome Road, Manhasset, New York 11030, provided the Bid is actually received by the Town Clerk prior to the time of public opening or Bids must be delivered to the place of public opening (i.e., the Town Board Room) immediately prior to the time of public opening.  
All Bids must be sealed and submitted in the pre-marked envelope provided with the Bid Documents, or must be sealed and submitted in a package (envelope) MARKED IN THE SAME WAY as the pre-marked envelope provided with the Bid Documents.  
ALL BIDDERS MUST complete the required Contractor's Qualifications Statement and must provide a copy of the required Statement of Financial Conditions, even if a Bidder is currently executing work for the Town.  
The Bids shall be in accordance with the requirements of the Specifications, Contract Plans and terms of the proposed Contract.  
No bids shall be received unless made in writing on forms furnished, and unless accompanied by a Certified Check or Bid Bond made payable to the Town of North Hempstead for an amount not less than five (5%) percent of the Bid price.  
BIDDERS ARE HEREBY ADVISED THAT ALL BONDS AND INSURANCE DOCUMENTS SUBMITTED WILL BE VERIFIED FOR AUTHENTICITY BY DIRECT COMMUNICATION WITH THE SURETY/INSURANCE COMPANY.  
A BONDING AND INSURANCE COMPANIES MUST BE LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK.  
The Town reserves the right to reject any and all Bids, and to waive any informalities therein.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR., TOWN CLERK  
PAUL DIMARIA, P.E., COMMISSIONER PUBLIC WORKS

**Legal Notice # 21064463**  
NOTICE TO BIDDERS  
Pursuant to resolution adopted by the Town Board, The Town of Babylon, Commissioner of General Services, Division of Purchasing, will receive sealed proposals for:

REPAIR OF PROPOSED TECHNICAL CONSULTING SURVEYING, ENGINEERING, DESIGN, CONSTRUCTION ADMINISTRATION & CONSTRUCTION INSPECTION ETC. SERVICES FOR THE CONSTRUCTION OF AMERICAN VEHICLE BRIDGES, POPIQUE, NEW YORK, until 10:30 am on THURSDAY, APRIL 9, 2015 at the Town Hall, 200 East Sunrise Highway, Lindenhurst, New York, 11757 at which time they will be publicly opened and read in the Division of Purchasing Office.

One (1) original and Eight (8) copies of both the technical and cost proposals. The Technical and Cost Proposals shall be in separate sealed containers and may be hand delivered or mailed to the above address. Proposals will not be accepted after 10:30 am on the date of bid opening. NO EXCEPTIONS WILL BE GRANTED. Do not remove any papers, all proposals are to be submitted intact. For information, call (516) 957-2025. The Town reserves the right to reject any and all proposals. All proposal documents may be examined and obtained at the Town Hall Purchasing Department between the hours of 9:00 a.m. and 4:30 p.m., daily except Saturdays, Sundays and Holidays, on and after Monday, MARCH 23, 2015. Proposal documents may also be downloaded at the Town of Babylon's website at [www.townofbabylon.com](http://www.townofbabylon.com)

**Legal Notice # 21068599**  
NOTICE TO BIDDERS  
PLEASE TAKE NOTICE that the Town of Oyster Bay, Nassau County, State of New York invites Sealed Proposals with respect to the award of:

REPLACEMENT OF EXISTING TIMBER BULKHEAD & DRAINAGE IMPROVEMENTS AT MASSAPEQUA, NEW YORK CONTRACT NO. H14-122

Said proposals are to be received and stamped by the Division of Purchase and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, 4TH Floor, Oyster Bay, New York 11771-1592, not later than 11:00 a.m., prevailing time on Wednesday, April 8th, 2015, and immediately thereafter, all proposals will be publicly opened and read in accordance with the provisions of the Oyster Bay Local Laws.

Contract documents are available for review and procurement at the Division of Purchase and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, 4TH Floor, Oyster Bay, New York 11771-1592, on or after Monday, April 6, 2015, between the hours 9:00 a.m. and 4:45 p.m., on regular business days. Monday through Friday. A charge of Fifty Dollars (\$50.00) payable to the Town of Oyster Bay, will be non-refundable will be required for the set of contract documents and the submission of a proposal hereunder. A Contractor is required to comply with all applicable provisions of the State and Local Laws.

In accordance with Town policy, the Contractor on this project must have an Apprenticeship program(s) in effect at the time of bid opening, appropriate for the type and scope of work to be performed, approved by the New York State Commissioner of Labor. The bidder shall submit proof of participation in an Apprenticeship program(s) in place with the bid. The bidder being deemed non-responsive. In accordance with Section 23 of the New York Labor Law, all public works contracts in excess of \$250,000.00 require that all laborers, workers and mechanics working on the site be certified as having successfully completed the OSHA 10-hour construction safety and health course. Subject to the foregoing, the availability of funds, and prevailing lawful requirements, the Town will award the contract to the lowest responsible qualified bidder. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY, JAMES ALTADONA, Supervisor; James Altadona, Jr., Town Clerk; Richard T. Betz, Commissioner of the Department of Public Works. Dated: March 17, 2015. Oyster Bay, New York.

**NEWSDAY BUY & SELL**  
Read for savings!  
Advertise for results!  
631-643-7653(SOLD)

**SPECIAL NOTE:** These proposals shall be funded in part through the New York State Governor's Office of Storm Recovery of Disaster Recovery and Federal Funds through Community Development Block Grants. Proposals must comply with any and all funding agency requirements, as well as any other State, County, Town or local government or agency rules and regulations. A goal of 25% for New York State Certified Women Owned Business has been established for this project. Proposers must demonstrate their good-faith efforts to achieve these goals. The Town will not reimburse any individual or firm with any costs associated with the preparation of their proposal. The Town of Babylon encourages minority and women owned businesses to participate in all bids. The Town reserves the right to reject any or all bids. Theresa Sabatino, Commissioner of General Services. Date: March 9, 2015.

**Legal Notice # 21068599**  
NOTICE TO BIDDERS  
PLEASE TAKE NOTICE that the Town of Oyster Bay, Nassau County, State of New York invites Sealed Proposals with respect to the award of:

REPLACEMENT OF EXISTING TIMBER BULKHEAD & DRAINAGE IMPROVEMENTS AT MASSAPEQUA, NEW YORK CONTRACT NO. H14-122

Said proposals are to be received and stamped by the Division of Purchase and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, 4TH Floor, Oyster Bay, New York 11771-1592, not later than 11:00 a.m., prevailing time on Wednesday, April 8th, 2015, and immediately thereafter, all proposals will be publicly opened and read in accordance with the provisions of the Oyster Bay Local Laws.

Contract documents are available for review and procurement at the Division of Purchase and Supply of the Town of Oyster Bay at Town Hall West, 74 Audrey Avenue, 4TH Floor, Oyster Bay, New York 11771-1592, on or after Monday, April 6, 2015, between the hours 9:00 a.m. and 4:45 p.m., on regular business days. Monday through Friday. A charge of Fifty Dollars (\$50.00) payable to the Town of Oyster Bay, will be non-refundable will be required for the set of contract documents and the submission of a proposal hereunder. A Contractor is required to comply with all applicable provisions of the State and Local Laws.

In accordance with Town policy, the Contractor on this project must have an Apprenticeship program(s) in effect at the time of bid opening, appropriate for the type and scope of work to be performed, approved by the New York State Commissioner of Labor. The bidder shall submit proof of participation in an Apprenticeship program(s) in place with the bid. The bidder being deemed non-responsive. In accordance with Section 23 of the New York Labor Law, all public works contracts in excess of \$250,000.00 require that all laborers, workers and mechanics working on the site be certified as having successfully completed the OSHA 10-hour construction safety and health course. Subject to the foregoing, the availability of funds, and prevailing lawful requirements, the Town will award the contract to the lowest responsible qualified bidder. BY ORDER OF THE TOWN BOARD OF THE TOWN OF OYSTER BAY, JAMES ALTADONA, Supervisor; James Altadona, Jr., Town Clerk; Richard T. Betz, Commissioner of the Department of Public Works. Dated: March 17, 2015. Oyster Bay, New York.

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631-643-7653(SOLD)

## EARLY NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

BARNES AVENUE SANITARY SEWAGE FLOW DIVERSION PROJECT  
VILLAGE OF HEMPSTEAD, NY

Thomas King, Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, NY 12231

**NOTIFICATION OF ACTIVITY IN A FLOODPLAIN**  
To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR) is conducting an evaluation as required by Executive Order 11988 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment.

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The flow diversion project proposed herein addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment.

The project proposes construction of a new flow diversion pump station adjacent to the existing Weepes Park Pumping Station, renovation of the Newmans Creek Pumping Station, and installation of new force main piping under Front Street/Route 102, Inghram Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP.

Funding for the project will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

A floodplains map based on the FEMA Base Flood Elevation Maps, has been prepared for this project and is available for review at <http://www.stormrecovery.ny.gov/environmental-docs>. There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

**PUBLIC COMMENTS**  
Any individual, group, or agency may submit written comments on the proposed action or a request for further information to Thomas King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12231; email: NYSCDBG\_DR\_ER@nysr.org. All comments received by April 7, 2015 will be considered.

Thomas King, Assistant General Counsel and Certifying Officer  
March 23, 2015

March 23, 2015



Organization filed with the Secretary of State of New York SSNY on November 21, 2014. Office location in Nassau County, SSNY has been designated for service of process. SSNY shall mail copy of any process served against the LLC at 1750 Plaza Ave, New Hyde Park, NY 11040. Purpose: any lawful purpose.

**Legal Notice # 21064071**  
Notice of formation of Property Professionals USA, LLC. Arts. of Org. filed with the Secretary of State of New York on 12/16/14. Office location in Nassau County, SSNY has been designated for service of process. SSNY shall mail copy of process to the LLC: 479 South Broadway Hicksville, NY 11801. Purpose: any lawful purpose.

**Legal Notice # 21065977**  
36 Eileen Way LLC. Arts. of Org. filed with SSNY on 01/29/15. Off. Loc.: Nassau Co. SSNY desig. as agt. upon whom process may be served. SSNY shall mail process to: Mark Grgas, c/o United Air Conditioning, 27-20 Skillman Ave., LIC, NY 11101. General Purposes.

**Legal Notice # 21065997**  
Global Creations LLC. Arts. of Org. filed with SSNY on 02/26/15. Off. Loc.: Nassau Co. SSNY desig. as agt. upon whom process may be served. SSNY shall mail process to: The LLC, P.O. Box 1359, NY 10018. General Purposes.

**Legal Notice # 21066074**  
1821 Grove Street LLC. Arts. of Org. filed with SSNY on 1/2/04/14. Off. Loc.: Nassau Co. SSNY desig. as agt. upon whom process may be served. SSNY shall mail process to: The LLC, 12-22nd St., Jericho, NY 11753. General Purposes.

Legal 2106817201

2/24/15. Office location: Nassau County, SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to The LLC, c/o Barbara R. Sass, 60 Astor Ln., Sands Point, NY 11050. General Purposes.

**Legal Notice # 21062481**  
OXFORD MECHANICAL LLC, a domestic LLC, filed with the SSNY on 2/10/15. Office location: Nassau County. SSNY is designated as agent upon whom process against the LLC may be served. SSNY shall mail process to The LLC, 182 Park Ave., Williston Park, NY 11596. General Purposes.

**Legal Notice # 21068551**  
**NOTICE TO BIDDERS**  
SEALED PROPOSALS WILL BE PUBLICLY OPENED AND READ BY THE ASSISTANT SUPERINTENDENT FOR FINANCE & OPERATIONS OF THE BOARD OF EDUCATION, SEWANAHKA CENTRAL HIGH SCHOOL, DISTRICT OF THE TOWNS OF HEMPSTEAD AND NORTH HEMPSTEAD AT THE CENTRAL ADMINISTRATIVE OFFICES, 77 LANDAU AVENUE, FLORAL PARK, N.Y. 11001 FOR:

Automotive & Light Truck Parts  
Custodial Supplies  
Electrical Supplies  
General Office & School Supplies  
Uniforms for Custodial and Security Staff  
April 16, 2015 @ 2:00 pm  
COPIES OF SPECIFICATIONS AND CONDITIONS MAY BE OBTAINED AT THE BUSINESS OFFICE, ADDRESS ABOVE  
ELEANOR MOORE  
DISTRICT CLERK

BE RECEIVED BY THE COMMISSIONER OF GENERAL SERVICES, c/o Division of Public Works, Town of Hempstead, Town Hall, Room 211, 350 Front St., Hempstead, New York, until 11:00 A.M. prevailing time on April 2, 2015 at which time they shall be publicly opened and read aloud and the contract awarded as soon thereafter as may be practicable for:

Storm Water Drain & Road Improvement, Tinker Drive - Chance Drive Area Oceanside, Town of Hempstead, Nassau County, New York.  
PW # 22-15.  
A - 1 A fee of \$100.00 (Check only) will be required for all bidders for a copy of the Proposed Contract Documents.  
A - 2 Each proposal must be accompanied by a Certified Check or Bid Bond payable to the Town of Hempstead for not less than 5% of the estimated amount of the bid.  
A - 3 Bid documents may be OBTAINED IN PERSON ONLY AT THE OFFICE OF THE COMMISSIONER OF GENERAL SERVICES, c/o DIVISION OF PUBLIC WORKS, TOWN HALL, ROOM 211, HEMPSTEAD, N.Y. AND MAY BE SEEN AT THE SAME OFFICE.  
A - 4 Federal Equal Opportunity and Labor Standards are applicable for all work performed under this contract.  
A - 5 The Town of Hempstead reserves the right to reject any or all bids.  
Dated: March 23, 2015  
HEMPSTEAD, NEW YORK  
KATHLEEN P. MURRAY  
Supervisor  
Nasrin G. Ahmad  
Town Clerk  
STEPHEN D'ESPOSITO  
Commissioner  
Department of General Services

09/18/08. Off. Loc.: Nassau Co. SSNY desig. as agt. upon whom process may be served. The latest date to dissolve is 12/31/2108. SSNY shall mail process to: The LLC, 10 Eagle Point Dr., Great Neck, NY 11024. General Purposes.

**Legal Notice # 21068495**  
**NOTICE TO BIDDERS:**  
SEALED BIDS ARE REQUESTED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, NEW YORK AND THOSE PARTICIPATING DISTRICTS OR MUNICIPALITIES WHO HAVE OR MAY JOIN THESE COOPERATIVES FOR:  
BID # 15/16-012 - FOOD SERVICE EQUIPMENT TO BE OPENED ON APRIL 15, 2015, AT 2:00 P.M. SPECIFICATIONS MAY BE OBTAINED BY REGISTERING ONLINE IN THE CO-OP BIDDING-VENDORS SECTION UNDER ONLINE SERVICES AT [www.nassauboces.org](http://www.nassauboces.org), OR AT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, GEORGE FARBER ADMINISTRATIVE CENTER, BUSINESS SERVICES DEPARTMENT, 71 CLINTON ROAD, GARDEN CITY, NEW YORK 11530 (516) 396-2240 UNTIL THE ABOVE DATE, AT WHICH TIME THEY WILL BE PUBLICLY OPENED.  
BY ORDER OF: BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY.  
Michael R. Perina  
Purchasing Agent

**Legal Notice # 21068517**  
**NOTICE TO BIDDERS:**  
SEALED BIDS ARE REQUESTED BY THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, NEW YORK AND THOSE PARTICIPATING DISTRICTS OR MUNICIPALITIES WHO HAVE OR MAY JOIN THESE COOPERATIVES FOR:  
BID # 15/16-008 - PLUMBING AND HEATING SUPPLIES TO BE OPENED ON APRIL 13, 2015, AT 2:00 P.M. SPECIFICATIONS MAY BE OBTAINED BY REGISTERING ONLINE IN THE CO-OP BIDDING-VENDORS SECTION UNDER ONLINE SERVICES AT [www.nassauboces.org](http://www.nassauboces.org), OR AT THE BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY, GEORGE FARBER ADMINISTRATIVE CENTER, BUSINESS SERVICES DEPARTMENT, 71 CLINTON ROAD, GARDEN CITY, NEW YORK 11530 (516) 396-2240 UNTIL THE ABOVE DATE, AT WHICH TIME THEY WILL BE PUBLICLY OPENED.  
BY ORDER OF: BOARD OF COOPERATIVE EDUCATIONAL SERVICES OF NASSAU COUNTY.  
Michael R. Perina  
Purchasing Agent

**Legal Notice # 21068565**  
**NOTICE TO BIDDERS**  
SEALED BIDS will be received by the Department of Public Works of the Town of North Hempstead in the Town Board Room located on the second floor of the Town Hall, 220 Plandome Road, Manhasset, New York 11030 on Wednesday April 8, 2015 at 10:30 a.m., at which time they will be publicly opened and read and the Contract awarded as soon thereafter as practicable for:

ON-CALL SERVICES FOR MILLING, PAVING AND MISCELLANEOUS CONCRETE WORK ON VARIOUS TOWN ROADWAYS

DPW PROJECT NO. 15-05  
Bids may be mailed or delivered to the Town Clerk, 200 Plandome Road, Manhasset, New York 11030, provided the Bids is actually received by the Town Clerk prior to the time of public opening; or Bids may be delivered to the place of public opening (i.e., the Town Board Room) immediately prior to the time of public opening.  
All Bids must be sealed and submitted in the pre-marked envelope provided with the Bid Documents, or must be sealed and submitted in a package (envelope) MARKED IN THE SAME WAY as the pre-marked envelope provided with the Bid Documents.  
All BIDDERS MUST complete the required Contractor's Qualifications Statement and must provide a copy of the required Statement of Financial Conditions, even if a Bidder is currently executing work for the Town.  
The Bids shall be in accordance with the requirements of the Specifications, Contract Plans and terms of the proposed Contract.  
No bids shall be received unless made in writing on forms furnished, and unless accompanied by a Certified Check or Bid Bond payable to the Town of North Hempstead for an amount not less than five (5%) percent of the Bid price.  
BIDDERS ARE HEREBY ADVISED THAT ALL BONDS AND INSURANCE DOCUMENTS SUBMITTED WILL BE VERIFIED FOR AUTHENTICITY BY DIRECT COMMUNICATION WITH THE SURETY/INSURANCE COMPANY.  
ALL BONDING AND INSURANCE COMPANIES MUST BE LICENSED TO DO BUSINESS IN THE STATE OF NEW YORK.  
The Town reserves the right to reject any and all Bids, and to waive any informalities therein.

All bidders are required to submit proof of participation in apprentice training programs which have been registered and approved by the New York State Department of Labor for the trades participating in the work to be performed.

The Town will not accept Bids from, nor award a Contract to, anyone who cannot prove to the satisfaction of the Town Board that he has sufficient experience in this type of construction and financially able and organized to successfully carry out the work covered by the Plans and Specifications in the required completion time. Special qualification requirements are contained in the Contract Documents.

Contract Plans, Specifications, and other Contract Documents may be examined at the office of the Department of Public Works, Town of North Hempstead, 285 Denton Avenue, New Hyde Park, New York 11040, or at the office of the Town Clerk at Town Hall, 200 Plandome Road, Manhasset, New York 11030, on and after Monday March 23, 2015. On and after this date, copies may be purchased only at the office of the Town Clerk. Bidders should note that, pursuant to New York General Municipal Law §103(16), the contract that may be awarded pursuant to the specifications for this bid may be utilized by any governmental entity in New York State, subject to the provisions contained in the Bid Documents.

A deposit of \$50.00 is required for each set of Plans and Specifications. The deposit shall be in cash or certified check in the name of the Town of North Hempstead. The deposit of each bidder will be refunded for return of one set, in good condition, within thirty days following the Award of Contract or within sixty days following the opening of bids if no Contract is awarded. All other deposits will be refunded on the basis of fifty (50%) percent of the deposit amount for sets returned in good condition within the same period. Sets are to be returned to the office of the Town Clerk at the above address for full or partial deposit refund.

BY ORDER OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD  
WAYNE H. WINK, JR.,  
TOWN CLERK  
PAUL DIMARIA, P.E.,  
COMMISSIONER PUBLIC WORKS

### EARLY NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN BARNES AVENUE SANITARY SEWAGE FLOW DIVERSION PROJECT VILLAGE OF HEMPSTEAD, NY

Thomas King, Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, NY 12231

#### NOTIFICATION OF ACTIVITY IN A FLOODPLAIN

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR) is conducting an evaluation as required by Executive Order 11988 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment.

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The flow diversion project proposed herein addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment.

The project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP.

Funding for the project will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the HUD Community Development Block Grant - Disaster Recovery (CDBG-DR) program for storm recovery activities in New York State.

A floodplains map based on the FEMA Base Flood Elevation Maps, has been prepared for this project and is available for review at <http://www.stormrecovery.ny.gov/environmental-docs>

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

#### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the proposed action or a request for further information to Thomas King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12231; email: [NYSCDBG\\_DR\\_ER@nysrhc.org](mailto:NYSCDBG_DR_ER@nysrhc.org). All comments received by April 7, 2015 will be considered.

Thomas King, Assistant General Counsel and Certifying Officer

March 23, 2015

2106817201



**EXHIBIT 3 Copy of Notice Transmitting Notice of Final Public Review  
and Proof of Publication**

**FINAL NOTICE AND PUBLIC EXPLANATION OF  
A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN  
BARNES AVENUE SANITARY SEWAGE FLOW DIVERSION PROJECT  
VILLAGE OF HEMPSTEAD, NY**

Thomas King, Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery  
99 Washington Avenue, Suite 1224  
Albany, NY 12260

**NOTIFICATION OF ACTIVITY IN A FLOODPLAIN**

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR) has conducted an evaluation as required by Executive Order 11988 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment.

Pursuant to the CDBG-DR Program and Federal Register Notices 78 Fed. Reg. 14329, 78 Fed. Reg. 69104, and 79 Fed. Reg. 62194 (Notices), published March 5, 2013, November 18, 2013, and October 16, 2014, respectively, NYS has been allocated approximately \$4.4 billion of CDBG-DR funds for storm recovery activities. Funding for the Barnes Avenue Sanitary Sewage Flow Diversion Project (Project) will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the CDBG-DR program.

This Notice pertains to the portion of the Project that is located within the Federal Emergency Management Agency (FEMA) flood hazard area. A project area and floodplain map based on the FEMA Base Flood Elevation Maps, has been prepared for this project and is available for review at <http://www.stormrecovery.ny.gov/environmental-docs>.

Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The Project addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment.

The Project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Floodplain Management Plan  
Barnes Avenue Sanitary Sewage Flow Diversion Project  
Village of Hempstead, Nassau County, NY



Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP.

There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

These alternatives will be re-evaluated in light of any public comments received.

### **FLOODPLAIN MANAGEMENT PLAN**

GOSR has reevaluated the alternatives to Project activities in the floodplain and has determined that there is no practicable alternative. A full copy of the Floodplain Management Plan (8-step process) documenting compliance with Executive Order 11988 can be viewed online at <http://www.stormrecovery.ny.gov/environmental-docs>.

### **PUBLIC COMMENTS**

Any individual, group, or agency may submit written comments on the proposed action or a request for further information to Thomas King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12260; email: NYSCDBG\_DR\_ER@nyshcr.org. All comments received by **April 27, 2015** will be considered.

Thomas King, Assistant General Counsel and Certifying Officer

**April 17, 2015**

# AFFIDAVIT OF PUBLICATION

## FINAL NOTICE AND PUBLIC EXPLANATION OF A PROPOSED ACTIVITY IN A 100-YEAR FLOODPLAIN

### BARNES AVENUE SANITARY SEWAGE FLOW DIVERSION PROJECT VILLAGE OF HEMPSTEAD, NY

Thomas King, Assistant General Counsel and Certifying Officer  
Governor's Office of Storm Recovery

99 Washington Avenue, Suite 1224, Albany, NY 12260  
NOTIFICATION OF ACTIVITY IN A FLOODPLAIN

To: All interested Agencies, Groups, and Individuals

This is to give notice that the Governor's Office of Storm Recovery (GOSR) has conducted an evaluation as required by Executive Order 11988 in accordance with U.S. Department of Housing and Urban Renewal (HUD) regulations under 24 CFR 55.20 Subpart C - Procedures for Making Determinations on Floodplain Management and Protection of Wetlands, to determine the potential effects that its activity in the floodplain would have on the human environment.

Pursuant to the CDBG-DR Program and Federal Register Notices 78 Fed. Reg. 14329, 78 Fed. Reg. 69104, and 79 Fed. Reg. 62194 (Notices), published March 5, 2013, November 18, 2013, and October 16, 2014, respectively, NYS has been allocated approximately \$4.4 billion of CDBG-DR funds for storm recovery activities. Funding for the Barnes Avenue Sanitary Sewage Flow Diversion Project (Project) will be provided by the Clean Water State Revolving Fund Storm Mitigation Loan Program (SMLP) with support from the CDBG-DR program.

This Notice pertains to the portion of the Project that is located within the Federal Emergency Management Agency (FEMA) flood hazard area. A project area and floodplain map based on the FEMA Base Flood Elevation Maps, has been prepared for this project and is available for review at <http://www.stormrecovery.ny.gov/environmental-docs>. Sanitary sewer overflows (SSOs) have occurred periodically at Barnes Avenue and Third Avenue in Baldwin, in the Town of Hempstead, Nassau County. Sanitary sewer overflow is a condition in which untreated wastewater is discharged into the environment and is typically caused by either a surcharge of sewage flow or infiltration of large volumes of stormwater into the sanitary sewer system. Though SSOs have occurred periodically in the area of Barnes Avenue for more than a decade, Superstorm Sandy exacerbated the existing vulnerabilities in the wastewater collection and treatment system. The Project addresses the vulnerabilities and capacity limitation in the sewer system by diverting wastewater generated upstream to a portion of the sewer system with adequate capacity for conveyance and treatment.

The Project proposes construction of a new flow diversion pump station adjacent to the existing Weekes Park Pumping Station, renovation of the Newmans Court Pumping Station, and installation of new force main piping under Front Street/Route 102, Ingraham Boulevard, Jerusalem Avenue, Meadowbrook State Parkway, and South Franklin Street to convey the redirected wastewater flow. Under the proposed configuration, up to 5.85 million gallons per day of wastewater flow would be redirected upstream of Baldwin and, subsequently, Bay Park Wastewater Treatment Plant (WWTP), to Cedar Creek WWTP. There are three primary purposes for this notice. First, people who may be affected by activities in floodplains and those who have an interest in the protection of the natural environment should be given an opportunity to express their concerns and provide information about these areas. Second, adequate public notice is an important public education tool. The dissemination of information about floodplains facilitates and enhances Federal efforts to reduce the risks associated with the occupancy and modification of these special areas. Third, as a matter of fairness, when the Federal government determines it will participate in actions taking place in floodplains, it must inform those who may be put at greater or continued risk.

#### FLOODPLAIN MANAGEMENT PLAN

GOSR has reevaluated the alternatives to Project activities in the floodplain and has determined that there is no practicable alternative. A full copy of the Floodplain Management Plan (8-step process) documenting compliance with Executive Order 11988 can be viewed online at <http://www.stormrecovery.ny.gov/environmental-docs>.

#### PUBLIC COMMENTS

Any individual, group, or agency may submit written comments on the proposed action or a request for further information to Thomas King, Assistant General Counsel and Certifying Officer, Governor's Office of Storm Recovery, 99 Washington Avenue, Suite 1224, Albany, NY 12260; email: [NYSCDBG\\_DR\\_ER@nyshcr.org](mailto:NYSCDBG_DR_ER@nyshcr.org). All comments received by April 27, 2015 will be considered.

Thomas King, Assistant General Counsel and Certifying Officer

April 17, 2015

(4/17 H#407)

## Affidavit of Publication

**BEACON**

Published in the Heart of the  
King Retail Market in the United States

BY **MASSAU COUNTY PUBLICATIONS INC.**  
RE ST. HEMPSTEAD, N.Y. 11550

(516) 481-5400

**MASSAU  
YORK**

Yohe of W.Hempstead, Nassau  
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the annexed notice, principal clerk of

Hempstead Beacon  
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Barbara Yohe (L.S.)

efore me this 17

April 2015

Carl Fogelman

CAL FOGELMAN

NOTARY PUBLIC-STATE OF NEW YORK

No. 01FO6129751

Qualified in Nassau County

My Commission Expires July 05, 2017

## **EXHIBIT 4 Public Comments Received**

**From:** Carrie Cosenza [carriacosenza@gmail.com]  
**Sent:** Monday, April 06, 2015 8:45 AM  
**To:** nyshcr.sm.nyscdbg.dr.er  
**Subject:** Barnes Avenue Sanitary Sewage Flow Diversion Project

Dear Mr. King,

I am a resident of Baldwin, New York, and live at 2848 Grand Avenue, which is on the corner of Grand Avenue and Barnes. I live here with my husband and one year old son. I am very concerned with the flooding and sewer damage that is occurring just a few steps from my house.

I understand that there is a plan for a new flow diversion for the sewage system. I support whatever plan will insure that there is no environmental harm to the land and most importantly, environmental/impact on the health of myself and my family (and my neighbors.)

I've been told that the development of additional apartment complexes at the end of Grand Avenue (Halandia Shores/Golden Agev-2870 Grand and 2860) is exhaserbating the problem. If this is true, then the development needs to stop. While I am in full support of Baldwin's revitalization, I cant support this if this development is one of the causes of the flooding and sewer problems. I cant imagine that the addition of several apartments will do any good to the already harmed environment. Im fairly sure there are still standing "condemned" houses on Barnes from Sandy and the sewage flooding. We need to clean this area up and make sure it is safe and workable before we take on additional residents.

Thank you.

**From:** Kevin Blackburn [kbblackburn@aol.com]  
**Sent:** Tuesday, April 07, 2015 8:38 PM  
**To:** nyshcr.sm.nyscdbg.dr.er  
**Subject:** Barnes Ave. Sewage floodplain protection

Dear Sir/Ma'am,

My name is Kevin Blackburn and I reside on 3rd Place off of Barnes Ave.

My wife, Kathy and I were directly affected by the back flow of raw sewage onto 3rd Place in the aftermath of Super Storm Sandy on Oct 30th 2012.

The main at Barnes and 3rd broke and the back flow continued to erupt from the street for three days.

Subsequently, all of the homes on 3rd place (and beyond) encountered raw sewage in our homes.

I am emailing you to say I am in favor of the proposed project to build the pumping stations and diversion stations above and upstream of Baldwin NY, to bring us in compliance with the Clean Water Act of 1972

33 U.S.C. §1251 et seq. (1972)

Furthermore, Being that I am a member in good standing of IBEW Local Union # 3, I would also strongly urge that all work to be performed be done by competent Union labor.

Thank you for your time in this very important matter.

Kevin Blackburn

2789 3rd Place  
Baldwin, NY 11510

**From:** Anna Edelstein [aredelstein@gmail.com]  
**Sent:** Tuesday, April 07, 2015 3:34 PM  
**To:** nyshcr.sm.nyscdbg.dr.er  
**Subject:** Activity in FloodPlain - BARNES AVE, BALDWIN

My husband & I live in this neighborhood and continue to see flooding and sewage overflow on Barnes Ave. They were present pre Superstorm Sandy and now post Superstorm Sandy, they remain a problem for all of us-most especially those that live on Barnes and 3rd Place in Baldwin.

From speaking to others in the area, they are seeing flooding at Halandia Shores persist. The new housing construction seems to have exacerbated the issue. The situation is not getting better.

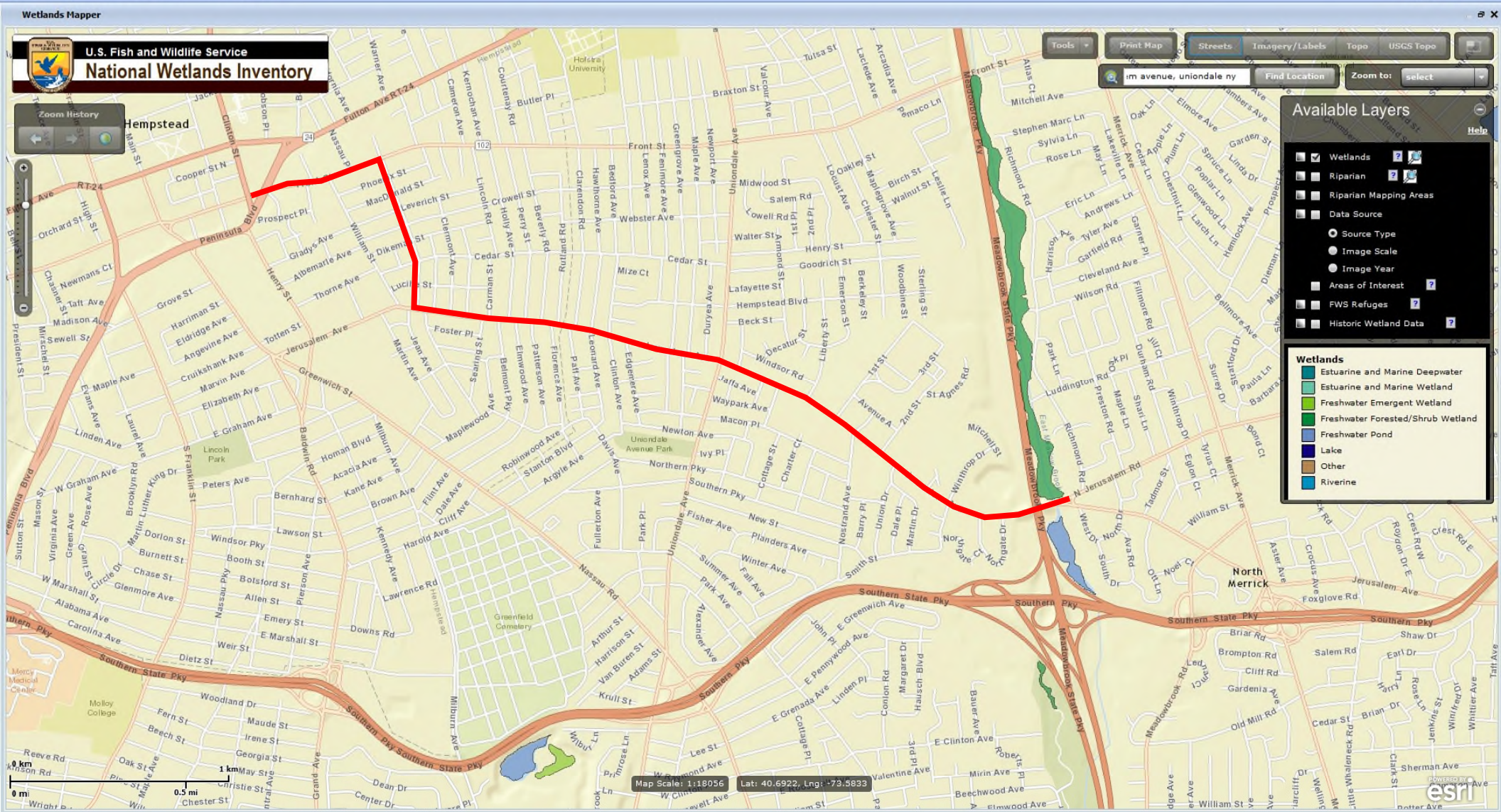
We ask that all necessary steps be taken to insure that we will not have any more of these problems in the future. It has already been too many years of too many problems for us here in the Barnes area.

Thank you.

Anna Edelstein

## **USFWS and NYSDEC Wetland Maps**





— Project Location





Search

Layers & Legend

Tell Me More...

Need a Permit?

Contacts

Help

### Map Layers & Legend

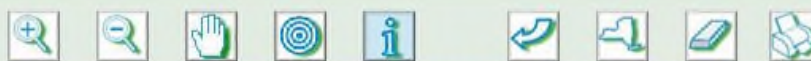
More layers appear as you zoom in.

- ☒ Classified Water Bodies
- ☒ Unique Geological Features
- ☒ Classified Water Bodies
- ☒ State-Regulated Freshwater Wetlands
- ☒ Wetland Checkzone ?
- ☐ Rare Plants and Rare Animals
- ☐ Significant Natural Communities
- ☐ Natural Communities Vicinity ?
- ☒ Background Map
- ☒ Adirondack Park Boundary
- ☒ Counties

Click "Refresh Layers" to activate and deactivate layers.

Refresh Layers

Locations of old and potential records of rare



Disclaimer: This map does not show all natural resources regulated by NYS DEC, or for which permits from NYS DEC may be required. Please contact your DEC Regional office for more information.

Click on a record # to zoom to or highlight that feature

Counties		
Record #	County	Area (Mile <sup>2</sup> )
1	NASSAU	287.74

Project Location

**Information, Planning, and Conservation System (IPaC)  
Trust Resources List**



U.S. Fish and Wildlife Service

## Trust Resources List

**This resource list is to be used for planning purposes only — it is not an official species list.**

**Endangered Species Act species list information for your project is available online and listed below for the following FWS Field Offices:**

**Long Island Ecological Services Field Office**  
340 SMITH ROAD  
SHIRLEY, NY 11967  
(631) 286-0485

***Project Name:***

Barnes





U.S. Fish and Wildlife Service

## Trust Resources List

### *Project Location Map:*



### *Project Counties:*

Nassau, NY

### *Geographic coordinates (Open Geospatial Consortium Well-Known Text, NAD83):*

MULTIPOLYGON (((-73.5765044 40.6948582, -73.5736946 40.6953308, -73.5726431 40.6920932, -73.5763328 40.6919785, -73.5765044 40.6948582)))

### *Project Type:*

Wastewater Pipeline



U.S. Fish and Wildlife Service

## Trust Resources List

### ***Endangered Species Act Species List (USFWS Endangered Species Program).***

There are a total of 6 threatened or endangered species on your species list. Species on this list should be considered in an effects analysis for your project and could include species that exist in another geographic area. For example, certain fishes may appear on the species list because a project could cause downstream effects on the species. Critical habitats listed under the **Has Critical Habitat** column may or may not lie within your project area. See the **Critical habitats within your project area** section below for critical habitat that lies within your project area. Please contact the designated FWS office if you have questions.

#### **Species that should be considered in an effects analysis for your project:**

Birds	Status		Has Critical Habitat	Contact
Piping Plover ( <i>Charadrius melodus</i> ) Population: except Great Lakes watershed	Threatened	<a href="#">species info</a>	<a href="#">Final designated critical habitat</a> <a href="#">Final designated critical habitat</a>	Long Island Ecological Services Field Office
Red Knot ( <i>Calidris canutus rufa</i> ) Population:	Threatened	<a href="#">species info</a>		Long Island Ecological Services Field Office
Roseate tern ( <i>Sterna dougallii dougallii</i> ) Population: northeast U.S. nesting pop.	Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office
Flowering Plants				
Sandplain gerardia ( <i>Agalinis acuta</i> )	Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office
Seabeach amaranth ( <i>Amaranthus pumilus</i> )	Threatened	<a href="#">species info</a>		Long Island Ecological Services Field Office
Mammals				
northern long-eared Bat ( <i>Myotis septentrionalis</i> ) Population:	Proposed Endangered	<a href="#">species info</a>		Long Island Ecological Services Field Office

#### **Critical habitats within your project area:**





U.S. Fish and Wildlife Service

## Trust Resources List

*There are no critical habitats within your project area.*

### ***FWS National Wildlife Refuges ([USFWS National Wildlife Refuges Program](#)).***

*There are no refuges found within the vicinity of your project.*

### ***FWS Migratory Birds ([USFWS Migratory Bird Program](#)).***

The protection of birds is regulated by the Migratory Bird Treaty Act (MBTA) and the Bald and Golden Eagle Protection Act (BGEPA). Any activity, intentional or unintentional, resulting in take of migratory birds, including eagles, is prohibited unless otherwise permitted by the U.S. Fish and Wildlife Service (50 C.F.R. Sec. 10.12 and 16 U.S.C. Sec. 668(a)). The MBTA has no provision for allowing take of migratory birds that may be unintentionally killed or injured by otherwise lawful activities. For more information regarding these Acts see: <http://www.fws.gov/migratorybirds/RegulationsandPolicies.html>.

All project proponents are responsible for complying with the appropriate regulations protecting birds when planning and developing a project. To meet these conservation obligations, proponents should identify potential or existing project-related impacts to migratory birds and their habitat and develop and implement conservation measures that avoid, minimize, or compensate for these impacts. The Service's Birds of Conservation Concern (2008) report identifies species, subspecies, and populations of all migratory nongame birds that, without additional conservation actions, are likely to become listed under the Endangered Species Act as amended (16 U.S.C 1531 et seq.).

For information about Birds of Conservation Concern, go to:

<http://www.fws.gov/migratorybirds/CurrentBirdIssues/Management/BCC.html>.

To search and view summaries of year-round bird occurrence data within your project area, go to the Avian Knowledge Network Histogram Tool links in the Bird Conservation Tools section at: <http://www.fws.gov/migratorybirds/CCMB2.htm>.

For information about conservation measures that help avoid or minimize impacts to birds, please visit:

<http://www.fws.gov/migratorybirds/CCMB2.htm>.

### **Migratory birds of concern that may be affected by your project:**

There are **25** birds on your Migratory birds of concern list. The underlying data layers used to generate the migratory bird list of concern will continue to be updated regularly as new and better information is obtained. User feedback is one method of identifying any needed improvements. Therefore, users are encouraged to submit comments about any questions regarding species ranges (e.g., a bird on the USFWS BCC list you know



U.S. Fish and Wildlife Service

## Trust Resources List

does not occur in the specified location appears on the list, or a BCC species that you know does occur there is not appearing on the list). Comments should be sent to [the ECOS Help Desk](#).

Species Name	Bird of Conservation Concern (BCC)	Species Profile	Seasonal Occurrence in Project Area
American Oystercatcher ( <i>Haematopus palliatus</i> )	Yes	<a href="#">species info</a>	Year-round
American bittern ( <i>Botaurus lentiginosus</i> )	Yes	<a href="#">species info</a>	Breeding
Bald eagle ( <i>Haliaeetus leucocephalus</i> )	Yes	<a href="#">species info</a>	Year-round
Black Skimmer ( <i>Rynchops niger</i> )	Yes	<a href="#">species info</a>	Breeding
Black rail ( <i>Laterallus jamaicensis</i> )	Yes	<a href="#">species info</a>	Breeding
Black-billed Cuckoo ( <i>Coccyzus erythrophthalmus</i> )	Yes	<a href="#">species info</a>	Breeding
Blue-winged Warbler ( <i>Vermivora pinus</i> )	Yes	<a href="#">species info</a>	Breeding
Canada Warbler ( <i>Wilsonia canadensis</i> )	Yes	<a href="#">species info</a>	Breeding
Fox Sparrow ( <i>Passerella iliaca</i> )	Yes	<a href="#">species info</a>	Wintering
Gull-billed Tern ( <i>Gelochelidon nilotica</i> )	Yes	<a href="#">species info</a>	Breeding
Hudsonian Godwit ( <i>Limosa haemastica</i> )	Yes	<a href="#">species info</a>	Migrating
Least Bittern ( <i>Ixobrychus exilis</i> )	Yes	<a href="#">species info</a>	Breeding
Least tern ( <i>Sterna antillarum</i> )	Yes	<a href="#">species info</a>	Breeding
Pied-billed Grebe ( <i>Podilymbus podiceps</i> )	Yes	<a href="#">species info</a>	Year-round
Prairie Warbler ( <i>Dendroica discolor</i> )	Yes	<a href="#">species info</a>	Breeding
Purple Sandpiper ( <i>Calidris maritima</i> )	Yes	<a href="#">species info</a>	Wintering



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## Trust Resources List

Red Knot ( <i>Calidris canutus rufa</i> )	Yes	<a href="#">species info</a>	Wintering
Rusty Blackbird ( <i>Euphagus carolinus</i> )	Yes	<a href="#">species info</a>	Wintering
Saltmarsh Sparrow ( <i>Ammodramus caudacutus</i> )	Yes	<a href="#">species info</a>	Breeding
Seaside Sparrow ( <i>Ammodramus maritimus</i> )	Yes	<a href="#">species info</a>	Year-round
Short-eared Owl ( <i>Asio flammeus</i> )	Yes	<a href="#">species info</a>	Wintering
Snowy Egret ( <i>Egretta thula</i> )	Yes	<a href="#">species info</a>	Breeding
Upland Sandpiper ( <i>Bartramia longicauda</i> )	Yes	<a href="#">species info</a>	Breeding
Wood Thrush ( <i>Hylocichla mustelina</i> )	Yes	<a href="#">species info</a>	Breeding
Worm eating Warbler ( <i>Helmitheros vermivorum</i> )	Yes	<a href="#">species info</a>	Breeding

### ***NWI Wetlands ([USFWS National Wetlands Inventory](#)).***

The U.S. Fish and Wildlife Service is the principal Federal agency that provides information on the extent and status of wetlands in the U.S., via the National Wetlands Inventory Program (NWI). In addition to impacts to wetlands within your immediate project area, wetlands outside of your project area may need to be considered in any evaluation of project impacts, due to the hydrologic nature of wetlands (for example, project activities may affect local hydrology within, and outside of, your immediate project area). It may be helpful to refer to the USFWS National Wetland Inventory website. The designated FWS office can also assist you. Impacts to wetlands and other aquatic habitats from your project may be subject to regulation under Section 404 of the Clean Water Act, or other State/Federal Statutes. Project Proponents should discuss the relationship of these requirements to their project with the Regulatory Program of the appropriate [U.S. Army Corps of Engineers District](#).

### **Data Limitations, Exclusions and Precautions**

The Service's objective of mapping wetlands and deepwater habitats is to produce reconnaissance level information on the location, type and size of these resources. The maps are prepared from the analysis of high altitude imagery. Wetlands are identified based on vegetation, visible hydrology and geography. A margin of



U.S. Fish and Wildlife Service

## Trust Resources List

error is inherent in the use of imagery; thus, detailed on-the-ground inspection of any particular site may result in revision of the wetland boundaries or classification established through image analysis.

The accuracy of image interpretation depends on the quality of the imagery, the experience of the image analysts, the amount and quality of the collateral data and the amount of ground truth verification work conducted. Metadata should be consulted to determine the date of the source imagery used and any mapping problems.

Wetlands or other mapped features may have changed since the date of the imagery and/or field work. There may be occasional differences in polygon boundaries or classifications between the information depicted on the map and the actual conditions on site.

**Exclusions** - Certain wetland habitats are excluded from the National mapping program because of the limitations of aerial imagery as the primary data source used to detect wetlands. These habitats include seagrasses or submerged aquatic vegetation that are found in the intertidal and subtidal zones of estuaries and nearshore coastal waters. Some deepwater reef communities (coral or tubercid worm reefs) have also been excluded from the inventory. These habitats, because of their depth, go undetected by aerial imagery.

**Precautions** - Federal, state, and local regulatory agencies with jurisdiction over wetlands may define and describe wetlands in a different manner than that used in this inventory. There is no attempt, in either the design or products of this inventory, to define the limits of proprietary jurisdiction of any Federal, state, or local government or to establish the geographical scope of the regulatory programs of government agencies. Persons intending to engage in activities involving modifications within or adjacent to wetland areas should seek the advice of appropriate federal, state, or local agencies concerning specified agency regulatory programs and proprietary jurisdictions that may affect such activities.

**The following wetland types intersect your project area in one or more locations:**

Wetland Types	NWI Classification Code	Total Acres
Freshwater Forested/Shrub Wetland	<a href="#">PFO1A</a>	27.2592
Freshwater Pond	<a href="#">PUBH</a>	4.9227

**Full Environmental Assessment Form Attachment  
Cultural Facilities Listing**



Question E.1.d.

Are there any facilities serving children, the elderly, people with disabilities (e.g., schools, hospitals, licensed day care centers, or group homes) within 1500 feet of the project site?

People with disabilities: Options for Community Living, Mental Health Association, Helen Keller Services for the Blind

Elderly: St. Agnes Senior Citizen Housing Development Fund, Greenwich Nursing Home Associates, Valucare, A. Holly Patterson Extended Care Facility, Nassau Extended Care Facility

Schools/Children: Uniondale Early Childhood Center, All Aboard Daycare, Grace Cathedral of Uniondale, Uniondale School District (Turtle Hook Middle School, Smith Street Elementary School), Hempstead School District (Barack Obama Elementary School, ABGS middle school, Prospect Ave School), St. Martin de Pores Marianist School, St. Marthas school, Prodigy School of the Arts, St. Ladislaus School, Hofstra University (satellite bldgs), John J. Bryne Community Center, Samantha Christian Daycare, Jay's Daycare, Little Leader's Daycare, Little Red Train Private School, Quality Daycare II Inc., Liz Daycare, Wright Care for Kids, Made for Minis, Sams place, Rattray's Daycare, Love Child Daycare LLC, Quality Daycare and Learning Center, Early Light Child Care, Sure Foundation Child Care Center, Crescent School, Covert Daycare, Above and Beyond Daycare, Hempstead Public Library